



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

November 7, 2023

Mike Henderson, Executive Principal
British International School of Chicago
161 W. 9th Street
Chicago, IL 60605

**RE: REVISED Minor change for PD No. 523, Sub area III
British School fence replacement at 161 W. 9th Street**

Dear Mr. Henderson:

This letter is a follow-up to and supersedes our previous minor change letters dated August 23rd and August 29th to Evanston Fencing on your school's behalf. We previously denied a proposed 8' high chain link fence around the school's soccer field and approved an 8' high netting to be attached to the existing 4' high fence. The British School is now seeking to replace the 4' high aluminum fence with a 6' high ornamental steel fence, as shown on the attached exhibit. They are seeking a taller fence for the protection and safety of their students and to deter trespassers from climbing over the fence. The sole property owner, EPR Properties, has consented to this request.

The Department of Planning and Development has determined that allowing the replacement of the 4' high fence with a 6' high ornamental fence surrounding the school's soccer field will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 523, I hereby approve this minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,



Noah Szafraniec
Assistant Commissioner

C: Linsey Henderson, Mike Marmo, Erik Glass, Janice Hill, Main file





DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

August 29, 2023

Francisco Esparza
Evanston Fencing Co.
Evanstonfencing@gmail.com

**Re: REVISED Minor change for PD No. 523, Sub area III
British School fence replacement at 161 W. 9th Street**

Dear Mr. Esparza:

Please be advised that your request for a minor change to Residential Business Planned Development No. 523 ("PD 523") has been reconsidered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement Number 13 of PD 523.

On August 23, 2023, denied your minor change request, on behalf of The British International School of Chicago, seeking to replace the existing 4' high aluminum fence surrounding their soccer field with an 8' high chain link fence. We approved the substitution of an 8' high aluminum fence, similar in style and materials as existing.

The British School is seeking a taller fence for the safety of the students (retrieving balls kicked out of the field) and for security purposes (people climbing in over the fence). The soccer field is located in the Central Area and bounded by W. 9th St., S. Wells St., and vacated W. Taylor St. According to a letter from the school, despite locked gates and signage indicating that it is private property, trespassers regularly hop the fence and have left it vandalized, littered and unsafe to use.

You submitted a letter from Mike Henderson, Executive Principal of the British International School of Chicago asking us to reconsider our decision and you also submitted photographs of similar height chain link fencing.

After further review of your request, it is our opinion that the appearance of an 8' high fence along the perimeter of the soccer field would have an adverse impact on both the character of the development and adjacent properties. The Zoning Ordinance typically limits the height of fencing to no more than 5 feet above grade and requires ornamental fencing. Only in rare circumstances, such as interior lot locations for industrial or manufacturing uses, has chain link fencing been allowed.



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

November 7, 2023

Mike Henderson, Executive Principal
British International School of Chicago
161 W. 9th Street
Chicago, IL 60605

**RE: REVISED Minor change for PD No. 523, Sub area III
British School fence replacement at 161 W. 9th Street**

Dear Mr. Henderson:

This letter is a follow-up to and supersedes our previous minor change letters dated August 23rd and August 29th to Evanston Fencing on your school's behalf. We previously denied a proposed 8' high chain link fence around the school's soccer field and approved an 8' high netting to be attached to the existing 4' high fence. The British School is now seeking to replace the 4' high aluminum fence with a 6' high ornamental steel fence, as shown on the attached exhibit. They are seeking a taller fence for the protection and safety of their students and to deter trespassers from climbing over the fence. The sole property owner, EPR Properties, has consented to this request.

The Department of Planning and Development has determined that allowing the replacement of the 4' high fence with a 6' high ornamental fence surrounding the school's soccer field will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 523, I hereby approve this minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,



Noah Szafraniec
Assistant Commissioner

C: Linsey Henderson, Mike Marmo, Erik Glass, Janice Hill, Main file



Therefore, the minor change request for the replacement of the existing 4' fence with an 8' high aluminum or chain link fence is denied. However, understanding the British School's safety and practical concerns with the existing 4' high fence, we will allow an 8' high netting to be attached to the existing fence and if needed, the addition of padding along the interior of the fence to reduce player injury.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 523, I hereby approve the addition of netting and interior padding to the existing aluminum fence, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,



Noah Szafraniec
Assistant Commissioner

C: Mike Henderson, British School
Mike Marmo, Erik Glass, Janice Hill, Main file



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

August 23, 2023

Francisco Esparza
Evanston Fencing Co.
Evanstonfencing@gmail.com

**Re: Minor change request for PD No. 523, Sub area III
British School fence replacement at 161 W. 9th Street**

Dear Mr. Esparza:

Please be advised that your request for a minor change to Residential Business Planned Development No. 523 ("PD 523") has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement Number 13 of PD 523.

On behalf of The British International School of Chicago, you are seeking a minor change to replace the existing 4' high aluminum fence surrounding their soccer field with an 8' high chain link fence. The Sub area III property owner, Education Capital Solutions, LLC, has provided their consent to this request. The British School is seeking a taller fence for the safety of the students (retrieving balls kicked out of the field) and for security purposes (people climbing in over the fence). The soccer field is located in the Central Area and bounded by W. 9th St., S. Wells St., and vacated W. Taylor St. According to a letter from the school, despite locked gates and signage indicating that it is private property, trespassers regularly hop the fence and have left it vandalized, littered and unsafe to use.

The PD was last amended in 2013 and pursuant to Statement 11g, the maximum height of fencing materials within Subarea III shall be 6' tall, which was shown on the approved plans at that time. A 2014 minor change issued for the construction of the school and soccer field approved a 4' high prefabricated, prefinished aluminum picket fence.

With regard to your request, the Department of Planning and Development has determined that the replacement of the 4' high aluminum fence with an 8' high chain link fence is not allowed, and therefore the request is denied. The Zoning Ordinance prohibits the use of chain link fencing in most circumstances, including in the Central Area along lot lines adjacent to public street rights-of-way.

However, the replacement with an 8' high prefabricated, prefinished aluminum picket fence, similar to the existing style and materials, is allowed as a minor change. It is our opinion that a taller, but similar style and material fence will provide additional safety and will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 523, I hereby approve a minor change to replace the soccer field's 4' high aluminum fence with an 8' high aluminum fence, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,

A handwritten signature in blue ink, appearing to read "Noah Szafraniec", with a stylized flourish at the end.

Noah Szafraniec
Assistant Commissioner

C: Mike Marmo, Erik Glass, Janice Hill, Main file



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

November 16, 2011

Mr. Theodore Novak
DLA Piper US LLP
203 N. LaSalle St., Suite 1900
Chicago, IL 60601-1263

MAIN FILE

Re: Request for Site Plan Approval within PD 523 Sub Area I-II, Phase IA,
The Roosevelt Collection
Proposal: Alteration to retail component and reconfiguration of residential tower
Location: 150 W. Roosevelt Road, Chicago, IL

Dear Mr. Novak,


We have reviewed the following plans: Proposed Site Plan No. AR. 02, Proposed Site plan: Wells Street AR.01, Proposed Green Roof Plan, Proposed Elevations (AR.07, , AR.05, AR. 04, AT203, AT 204, AT 201 and AT 202) dated October 4, 2011 developed by Antunovich Associates, LLC.

The new site plans include the removal of the retail spaces located in the center median, a new active public plaza, re-design of pedestrian entrances from Roosevelt Road, parallel parking spaces adjacent to retail stores, wider sidewalks, increased landscaped areas, improved lighting, improvements to the retail parking levels below, improvements to retail storefronts, and a decrease in the required green roof area from 95,450 Sq. Ft. to 92,748 Sq. Ft. All these changes are consistent with the minor change letter issued on September 6, 2011.

The proposed new tower will be 43 stories, 472' 4" tall and contain 400 apartment units. Please note that prior to Part II submittal the applicant will need to submit to DHED, more detailed drawings for the tower.

Upon review of the material submitted, the Department of Housing and Economic Development has determined that these plans will satisfy the requirements of the Plan Development. Accordingly, this Site Plan submittal and elevations for a portion of Sub Area I-II within Residential-Business Planned Development No. 523, as amended, is hereby approved as conforming to the Plan of Development as passed by the Chicago City Council on December 13, 2006.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

Originated by: Luis M. Monterrubio
cc: Mike Marmo, PD files



DLA Piper US LLP
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1263
www.dlapiper.com

Theodore J. Novak
theodore.novak@dlapiper.com
T 312.368.4037
F 312.630.7398

October 6, 2011

HAND DELIVERY

Ms. Heather Gleason
Department of Housing and Economic Development
City of Chicago
Room 905 – City Hall
121 North LaSalle Street
Chicago, Illinois 60602

**Re: Request for Amended Site Plan Approval / RPD No. 523, Sub Areas I & II (Phase IA)
The Roosevelt Collection – 150 West Roosevelt Road, Chicago, Illinois**

Dear Heather:

On behalf of our client, McCaffery Roosevelt, LLC ("McCaffery"), this is a request for an amendment to the existing site plan approval, dated August 9, 2007, for The Roosevelt Collection, Sub-Areas I and II, Planned Development No. 523, as it relates to "Phase 1A" of McCaffery's development plan. "Phase 1A" includes a proposed residential tower at the northwest corner of Subarea II.

The existing site plan approval included, among other things, approval of a 43-story residential condominium tower including 294 dwelling units at the northwest corner of Subarea II. Although Subareas I & II have been substantially improved with residential, commercial and parking structures, this tower has not been constructed.

McCaffery is seeking approval of revised development plans for a residential tower of the same scale and in the same location, with an increased unit count. The modified development plans for Phase 1A include a 43-story tower containing up to 400 residential apartments, with no increase in floor area ratio (F.A.R.) and a decrease in height as compared to the approved tower. This is made possible due to smaller floor plans and lower ceiling heights associated with apartments.

Below is a side-by-side comparison of the proposed tower versus the approved tower:

| | Approved Site Plan, August 9, 2007 | Proposed Site Plan Amendment |
|------------------------|---------------------------------------|---------------------------------|
| Unit Type | Condominium | Apartment |
| Unit Count | 294 | 400 |
| Height (Stories) | 43 | 43 |
| Height (Feet, Inches) | 494'-2" | 472'-4" |
| F.A.R. Floor Area (SF) | 433,242 | 433,242 |

The proposed tower also includes design changes. The main pedestrian entry and building lobby in the proposed apartment tower will be located on the courtyard level of the development, rather than on the P-3 Parking Level, as was proposed in the approved condominium tower. This lobby location will provide



Ms. Heather Gleason
October 6, 2011
Page 2

additional foot traffic and vitality to the retail stores at the north end of the development. Additional retail space will also be provided adjacent to the Lobby of the new apartment tower. This new retail will improve the retail connectivity at this end of the development and will improve the overall pedestrian streetscape retail experience.

The elevations of the residential tower have been improved to reflect the new apartment function of the building, and to celebrate the slender mass of this elegant structure. The tower design has been developed to express a base, shaft and a very distinctive terminus to the structure. The building design is delicately recessed at the building corners and at the north and south elevations with balconies placed at each apartment unit. The building expresses the rigid, crossed walled nature of the internal concrete wind bracing walls, especially in the upper 12 levels of the building with its bold, distinctive expression of structure.

The proposed Site Plan Approval amendment, when considering all existing and planned improvements within Subareas I & II, complies fully with RPD No. 523, including the Bulk Regulations and Data Table. The total development of Subareas I & II up to and including Phase 1A will include only 3.80 F.A.R., whereas 6.39 F.A.R is permitted, representing a difference of over 850,000 square feet of floor area. The total development of Subareas I & II up to and including Phase 1A will include only 742 dwelling units, whereas 1,000 dwelling units are permitted. Phase 1A height is 472'-4", whereas a height of 500 feet is permitted. The Phase 1A Data Table enclosed herewith provides complete project data in reference to the requirements of RPD No. 523 and the existing August 9, 2007 site plan approval.

Enclosed herewith for your review are three sets of the following:

1. Site Plan Approval, Dated August 9, 2007
2. Site Plan Amendment Drawings (21 Sheets) –3 Sets Full-Sized Drawings & 3 Sets 11" x 17" Drawings:
 - Cover Sheet, Dated October 4, 2011
 - Proposed Site Plan – Roosevelt Road, Dated October 4, 2011
 - Existing Site Plan – Roosevelt Road, Dated August 10, 2011
 - Proposed Site Plan – Wells Street, Dated October 4, 2011
 - Existing Site Plan – Wells Street, Dated April 18, 2007
 - Proposed Green Roof Plan, Dated October 4, 2011
 - Existing Green Roof Plan, Dated August 10, 2011
 - Proposed South and North Elevations, Dated October 4, 2011
 - Existing South and North Elevations, Dated April 17, 2011
 - Proposed West Building – West Elevation, Dated October 4, 2011



Ms. Heather Gleason
October 6, 2011
Page 3

- Existing West Building – West Elevation, Dated February 7, 2007
- Proposed West Building – East Elevation, Dated October 4, 2011
- Existing West Building – East Elevation, Dated February 7, 2007
- Proposed Tower – North Elevation, Dated October 4, 2011
- Existing Tower – North Elevation, Dated February 7, 2007
- Proposed Tower – West Elevation, Dated October 4, 2011
- Existing Tower – West Elevation, Dated February 7, 2007
- Proposed Tower – South Elevation, Dated October 4, 2011
- Existing Tower – South Elevation, Dated February 7, 2007
- Proposed Tower – East Elevation, Dated October 4, 2011
- Existing Tower – East Elevation, Dated February 7, 2007

Your cooperation and assistance on this matter is very much appreciated. If you have any questions or should you require any additional information, please do not hesitate to contact me.

Very truly yours,

DLA Piper LLP (US)

A handwritten signature in dark ink, appearing to read 'Ted Novak', written over a horizontal line.

Theodore J. Novak

cc: Alderman Robert Fioretti, City of Chicago 2nd Ward
Bennet Haller, Department of Housing and Economic Development
Daniel McCaffery, McCaffery Interests
Ed Woodbury, McCaffery Interests
Jim Steman, McCaffery Interests
Joe Antunovich, Antunovich Associates, Inc.
Chuck Kennedy, Antunovich Associates, Inc.
Jesse Dodson, DLA Piper LLP

PHASE 1A DATA TABLE

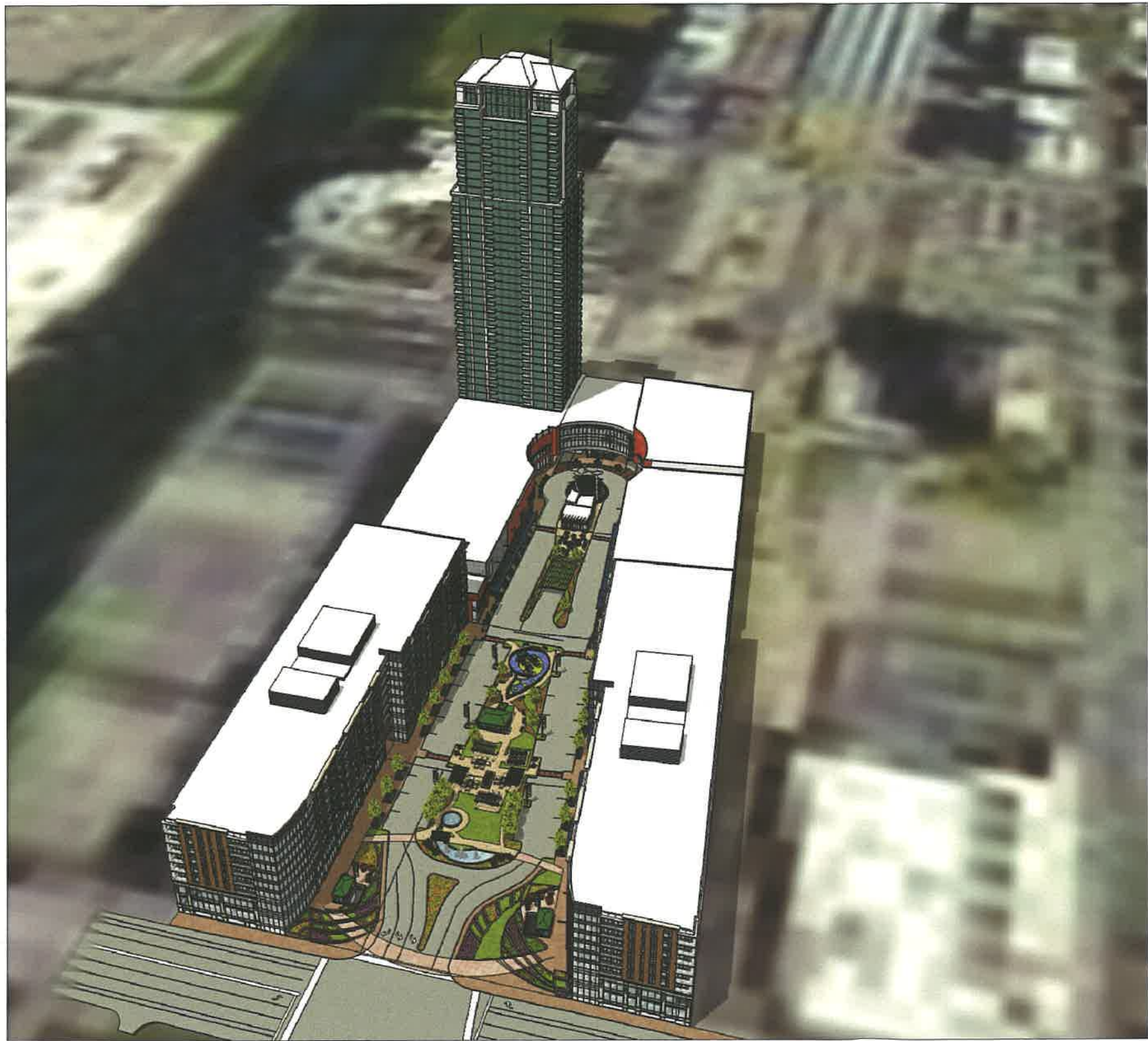
Roosevelt Collection Zoning Summary
October 6, 2011

Sub-Areas I & II

The column below entitled “**Proposed After Site Plan Approval Amendment**” includes the total development of Subareas I & II up to and including proposed Phase 1A, *i.e.*:

- (i) all improvements constructed to date within Subareas I & II pursuant to the existing August 9, 2007 Site Plan Approval,
- (ii) all improvements made or proposed within Subareas I & II pursuant to McCaffery's September 6, 2011 minor change/site plan approval (*i.e.*, Phase 1), and
- (iii) the proposed residential apartment tower within Subarea II that is the subject of this request (Phase 1A).

| | Approved Zoning PD No. 523 Subareas I & II | Approved Site Plan Dated 8/9/07 | Proposed After Site Plan Approval Amendment* |
|---|--|------------------------------------|--|
| Net Site area | 331, 087 SF | 331,087 SF | 331,087 SF |
| Floor Area Ratio | 6.39 | 3.82 | 3.80 |
| FAR Floor Area | 2,115,646 SF | 1,277,289 SF | 1,259,983 SF |
| Dwelling Units | 1,000 Units | 636 Units | 742 Units |
| Residential Area | | 800,381 SF | 800,381 SF |
| Retail Area | | 449,055 SF | 431,749 SF |
| Site Coverage | 100% | 100% | 100% |
| Maximum Building Height: | | | |
| Residential Tower | 500 Feet | 494'-2" | 472'-4" |
| Other Buildings | 380 Feet | 153 Feet | 153 Feet |
| Minimum Number of Bicycle Parking Spaces (Residential) | 50 Spaces | 50 Spaces | 50 Spaces |
| Parking: | (Required) | | |
| Dwelling Units | 431 Spaces | 510 Spaces | 431 Spaces |
| Retail | 1,032 Spaces | 1,082 Spaces | 1,056 Spaces |
| Loading: | (Required) | | |
| Residential | 4 Berths | 3 Berths | 3 Berths |
| Retail | 5 Berths | 6 Berths | 6 Berths |
| Park Area | 0 SF | 0 SF | 23,206 SF (Subarea I) |



| Sheet Number | Draw ing Description | 10.04.11 Site Plan Amendment |
|--------------|---|------------------------------|
| | Cover Sheet | x |
| AR.02 | Proposed Site Plan - Roosevelt Road | x |
| AR.02E | Existing Site Plan - Roosevelt Road | x |
| AR.01 | Proposed Site Plan - Wells Street | x |
| AR.01E | Existing Site Plan - Wells Street | x |
| AR.03 | Proposed Green Roof Plan | x |
| AR.03E | Existing Green Roof Plan | x |
| AR.07 | Proposed South and North Elevations | x |
| AR.07E | Existing South and North Elevations | x |
| AR.05 | Proposed West Building - West Elevation | x |
| AR.05E | Existing West Building - West Elevation | x |
| AR.04 | Proposed West Building - East Elevation | x |
| AR.04E | Existing West Building - East Elevation | x |
| AT201 | Proposed Tower - North Elevation | x |
| AT201E | Existing Tower - North Elevation | x |
| AT202 | Proposed Tower - West Elevation | x |
| AT202E | Existing Tower - West Elevation | x |
| AT203 | Proposed Tower - South Elevation | x |
| AT203E | Existing Tower - South Elevation | x |
| AT204 | Proposed Tower - East Elevation | x |
| AT204E | Existing Tower - East Elevation | x |
| Total | | 21 |

Roosevelt Collection
Chicago, Illinois

City of Chicago Site Plan Amendment
October 4, 2011

ROOSEVELT COLLECTION

Investor

**CANYON JOHNSON
URBAN FUND**

2000 AVENUE OF THE STARS
11TH FLOOR
LOS ANGELES, CA 90067
PHONE: (310) 272-1500
FAX: (310) 272-1501

Developer

**MCCAFFERY
ROOSEVELT, LLC.**

875 NORTH MICHIGAN AVENUE
SUITE 1800
CHICAGO, ILLINOIS 60611
PHONE: (312) 944-3777
FAX: (312) 784-2757

Architect

ANTUNOVICH ASSOCIATES
ARCHITECTS
PLANNERS

224 WEST HURON STREET
SUITE 7
CHICAGO, ILLINOIS 60654
PHONE: 312.266.1126
FAX: 312.266.7123

General Contractor
W.E. O'Neil

2751 N. Clybourn Ave.
Chicago, IL 60614
phone (773) 735-1611
fax# (773) 244-4454

Structural Engineer
Halvorson & Partners, Inc.

600 W. Chicago Ave., Suite 650
Chicago, IL 60654
phone (312) 274-2400
fax# (312) 274-2401

Civil Engineers
Spaceco, Inc.

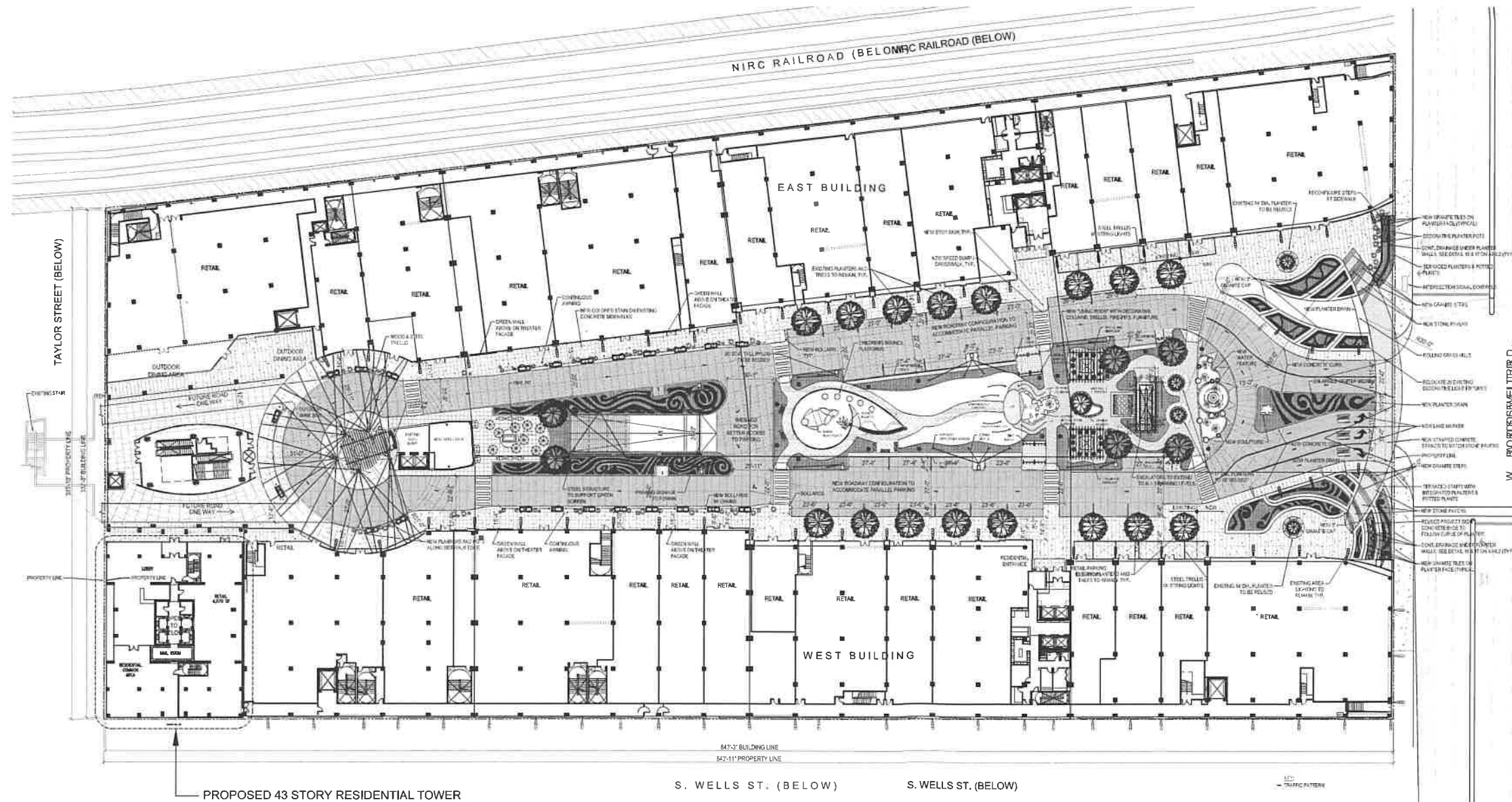
9575 W. Higgins Rd. Suite 700
Rosemont, IL 60018
phone (847) 696-4060
fax# (847) 696-4065

Mechanical/Electrical/Plumbing/Fire Protection
Engineers
WMA Consulting Engineers, Ltd.

815 S. Wabash Ave.
Chicago, IL 60605
phone (312) 786-4310
fax# (312) 786-1123

Landscape Architects
Wolff Landscape Architects, Inc.

207 N. Michigan Avenue, Suite 600
Chicago, Illinois 60601
phone (312) 663-5494
fax# (312) 663-5497



PROPOSED SITE PLAN

1 ARCHITECTURAL SITE PLAN
SCALE: 1/8" = 1'-0"



| No. | Date | Description |
|--|-------------------------------------|-------------|
| 10-04-11 | City of Chicago Site Plan Amendment | |
| 10-10-11 | City of Chicago Site Plan Amendment | |
| Submissions & Revisions | | |
| McCAFFERY ROOSEVELT, LLC. 150 West Roosevelt Road Chicago, Illinois 60605 | | |

| | | |
|--|--|--|
| ANTUNOVICH ASSOCIATES 150 West Roosevelt Road Chicago, Illinois 60605 | | |
| W.E. O'NEIL 150 West Roosevelt Road Chicago, Illinois 60605 | | |

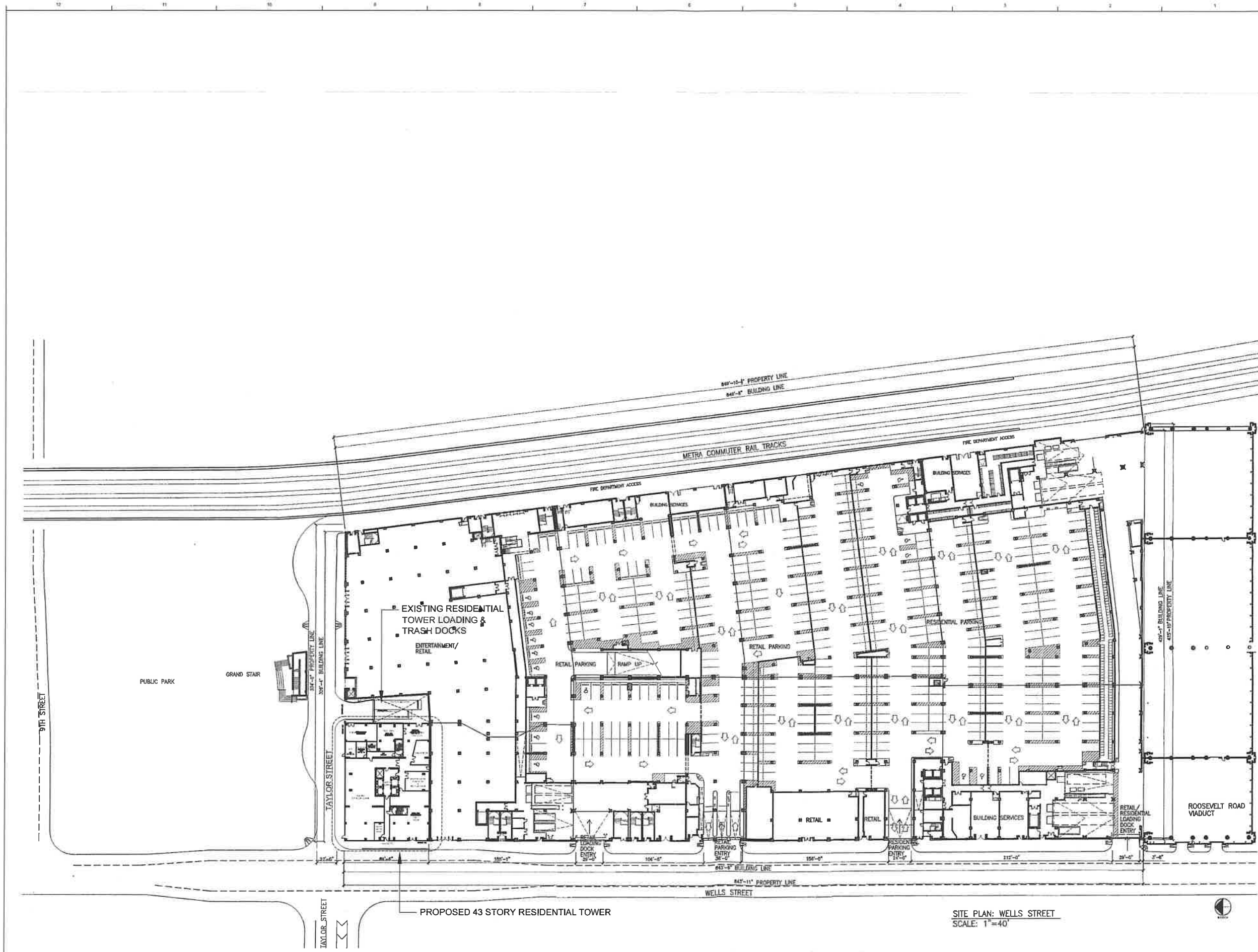
| | | |
|--|--|--|
| Ilahverson & Partners, Inc. 150 West Roosevelt Road Chicago, Illinois 60605 | | |
| Spaces, Inc. 150 West Roosevelt Road Chicago, Illinois 60605 | | |

| | | |
|---|--|--|
| WMA Consulting Engineers, Ltd. 150 West Roosevelt Road Chicago, Illinois 60605 | | |
| WMA Consulting Engineers, Ltd. 150 West Roosevelt Road Chicago, Illinois 60605 | | |

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|---|--|--|
| ROOSEVELT COLLECTION 150 West Roosevelt Road Chicago, Illinois 60605 | | |
| ROOSEVELT COLLECTION 150 West Roosevelt Road Chicago, Illinois 60605 | | |

| | | |
|---|--|--|
| SITE PLAN ROOSEVELT ROAD | | |
| SITE PLAN ROOSEVELT ROAD | | |

AR.02

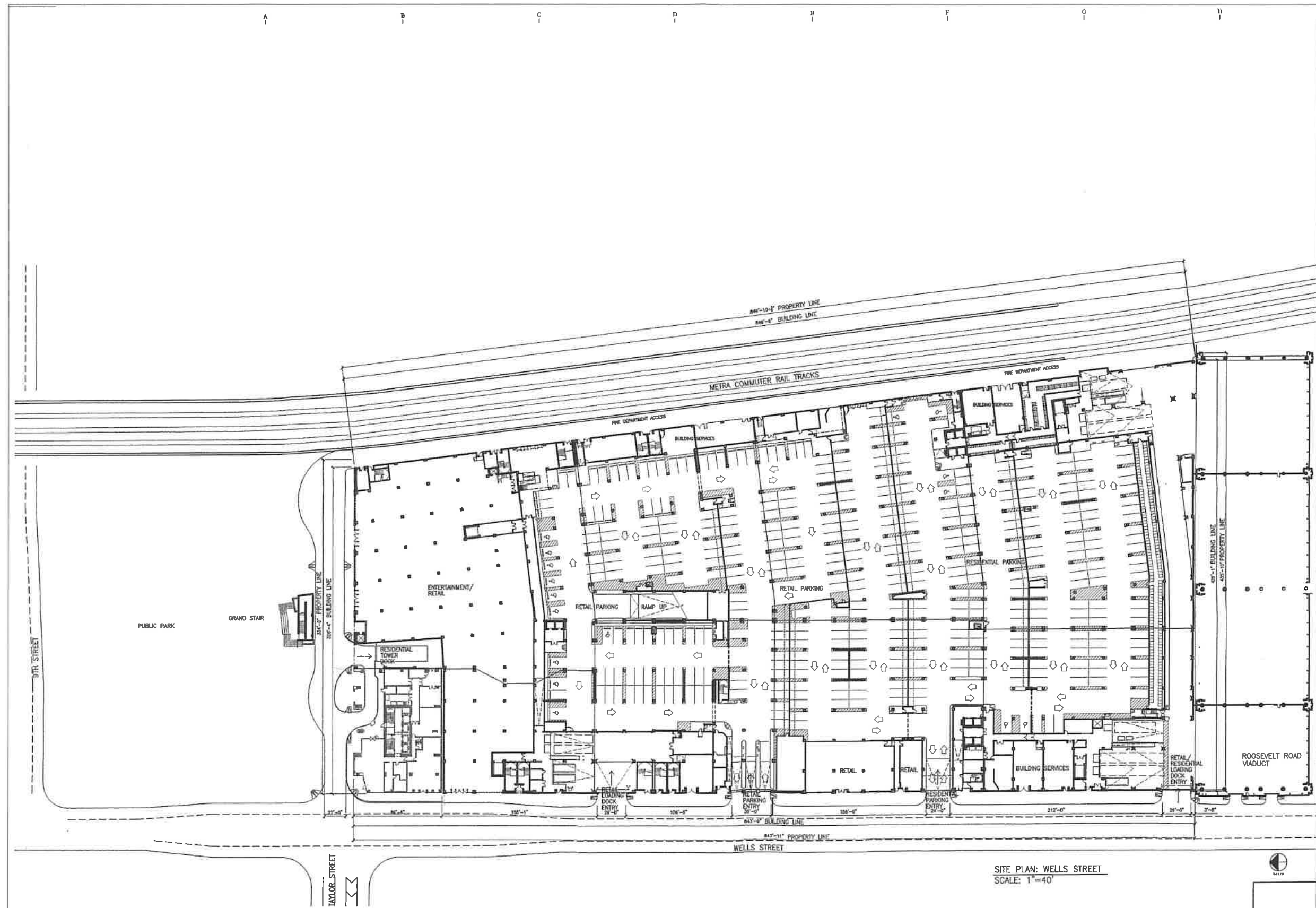


PROPOSED SITE PLAN: WELLS STREET

SITE PLAN: WELLS STREET
SCALE: 1"=40'

ALL PARKING SPACES & AISLE DIMENSIONS
PER CHICAGO ZONING ORDINANCE

| | |
|---|------------------|
| General Notes | |
| 1504.11 City of Chicago Site Plan Amendment 08.10.11 City of Chicago Site Plan Amendment | |
| No. | Date Description |
| Submissions & Revisions | |
| Developer MCCAFFERY ROOSEVELT, LLC. 1100 N. Dearborn Street, Suite 1000 Chicago, IL 60610 Phone: (312) 467-1000 Fax: (312) 467-1001 Email: info@mccafferyroosevelt.com | |
| Architect ANTUNOVICH ASSOCIATES ARCHITECTS PLANNERS 1700 West Madison Street, Suite 1000 Chicago, IL 60612 Phone: (312) 467-1000 Fax: (312) 467-1001 Email: info@antunovich.com | |
| General Contractor W.E. O'Neil 2001 N. Dearborn Street, Suite 1000 Chicago, IL 60610 Phone: (312) 467-1000 Fax: (312) 467-1001 Email: info@weoneil.com | |
| Structural Engineer Halvorson & Partners, Inc. 1000 N. Dearborn Street, Suite 1000 Chicago, IL 60610 Phone: (312) 467-1000 Fax: (312) 467-1001 Email: info@halvorson.com | |
| Civil Engineer Spaceco, Inc. 1000 N. Dearborn Street, Suite 1000 Chicago, IL 60610 Phone: (312) 467-1000 Fax: (312) 467-1001 Email: info@spaceco.com | |
| Mechanical/Electrical/Plumbing/Fire Protection Engineer WMA Consulting Engineers, Ltd. 1000 N. Dearborn Street, Suite 1000 Chicago, IL 60610 Phone: (312) 467-1000 Fax: (312) 467-1001 Email: info@wma.com | |
| Landscape Architect Wells Landscape Architects, Inc. 1000 N. Dearborn Street, Suite 1000 Chicago, IL 60610 Phone: (312) 467-1000 Fax: (312) 467-1001 Email: info@wellslandscape.com | |
| Project Location ROOSEVELT COLLECTION 150 West Roosevelt Road Chicago, Illinois 60605 | |
| Drawing Title SITE PLAN: WELLS STREET | |
| Sheet | Scale |
| Drawing No. AR.01 | |



- RETAIL ARCHITECT**
REKL ASSOCIATES INC.
 140 E. Dearborn Street
 Suite 1000
 Chicago, IL 60611
 312-701-8800
 www.rekl.com
- RESIDENTIAL ARCHITECT**
WIRCH ASSOCIATES INC.
 225 W. Hubbard
 5th Floor
 Chicago, IL 60610
 312-438-8011
 www.wirchassociates.com
- ARCHITECT OF RECORD**
A. SPEER & SONS ARCH., INC.
 800 W. Fulton
 6th Floor
 Chicago, IL 60611
 312-454-1100
 www.aspeers.com
- STRUCTURAL ENGINEER**
MALCOLMSON & PARTNERS, INC.
 600 W. Chicago Avenue
 Suite 550
 Chicago, IL 60610
 312-274-2400
- M/E/P & PE ENGINEER**
HILL CONSULTING ENGINEERS, LTD.
 516 S. Wabash Avenue
 Suite 100
 Chicago, IL 60605
 312-788-4170
- ENV. ENGINEER**
ANDERSON ASSOCIATES
 130 E. Randolph Street
 Suite 1000
 Chicago, IL 60601
 312-468-1138
- RESIDENTIAL PLANNING ENGINEER**
W-T MECHANICAL/ELECTRICAL ENGINEERING, LLC
 39 E. South Drive
 Schaumburg, IL 60193
 815-380-3540
- RESIDENTIAL HVAC ENGINEER**
ADVANCE MECHANICAL SYSTEMS, INC.
 2080 South Carling
 Mount Prospect, IL 60056
 847-943-2510
- PLAZA LANDSCAPE ARCHITECT**
WOLFF LANDSCAPE ARCHITECTURE
 417 North Dearborn
 Suite 700
 Chicago, IL 60610
 312-463-4464
- PARK LANDSCAPE ARCHITECT**
FINE LANDSCAPE GROUP, INC.
 313 West Kinzie
 Third Floor
 Chicago, IL 60610
 312-464-4440

NOTE: SEE SHEET G.3.1 FOR ALL SYMBOLS AND ABBREVIATIONS

| No. | Date | Item |
|-----|----------|-------------------------------|
| 1 | 04.19.07 | Revised for Final Development |
| 2 | 02.02.07 | Revised for Final Development |
| 3 | 02.22.06 | Revised for Final Development |
| 4 | 05.08.06 | Revised for Final Development |
| 5 | 01.24.06 | Revised for Final Development |

Issued Drawing Log

ROOSEVELT COLLECTION
 150 W Roosevelt Rd.
 Chicago, Illinois

OWNER:
ROOSEVELT COLLECTION, LLC

Drawn _____ Checked _____ Approved _____

SITE PLAN:
 WELLS STREET

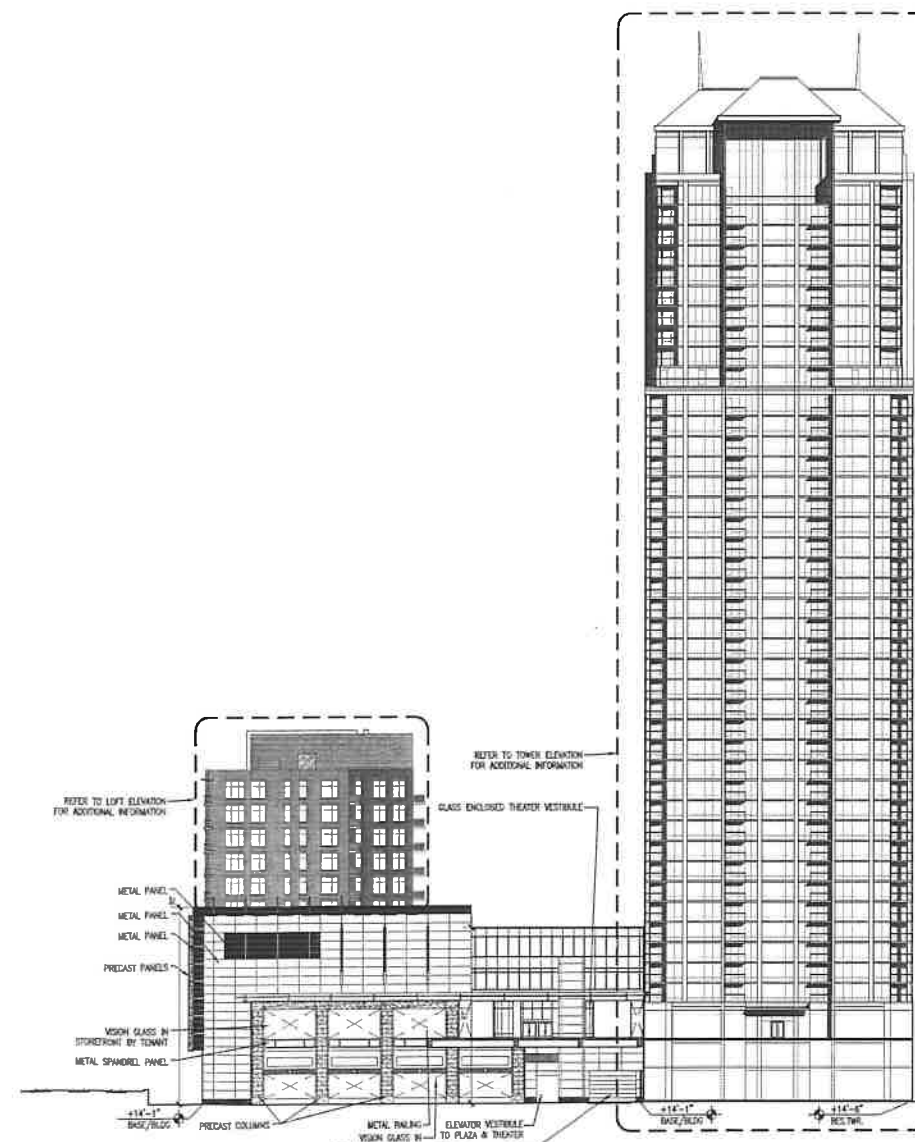
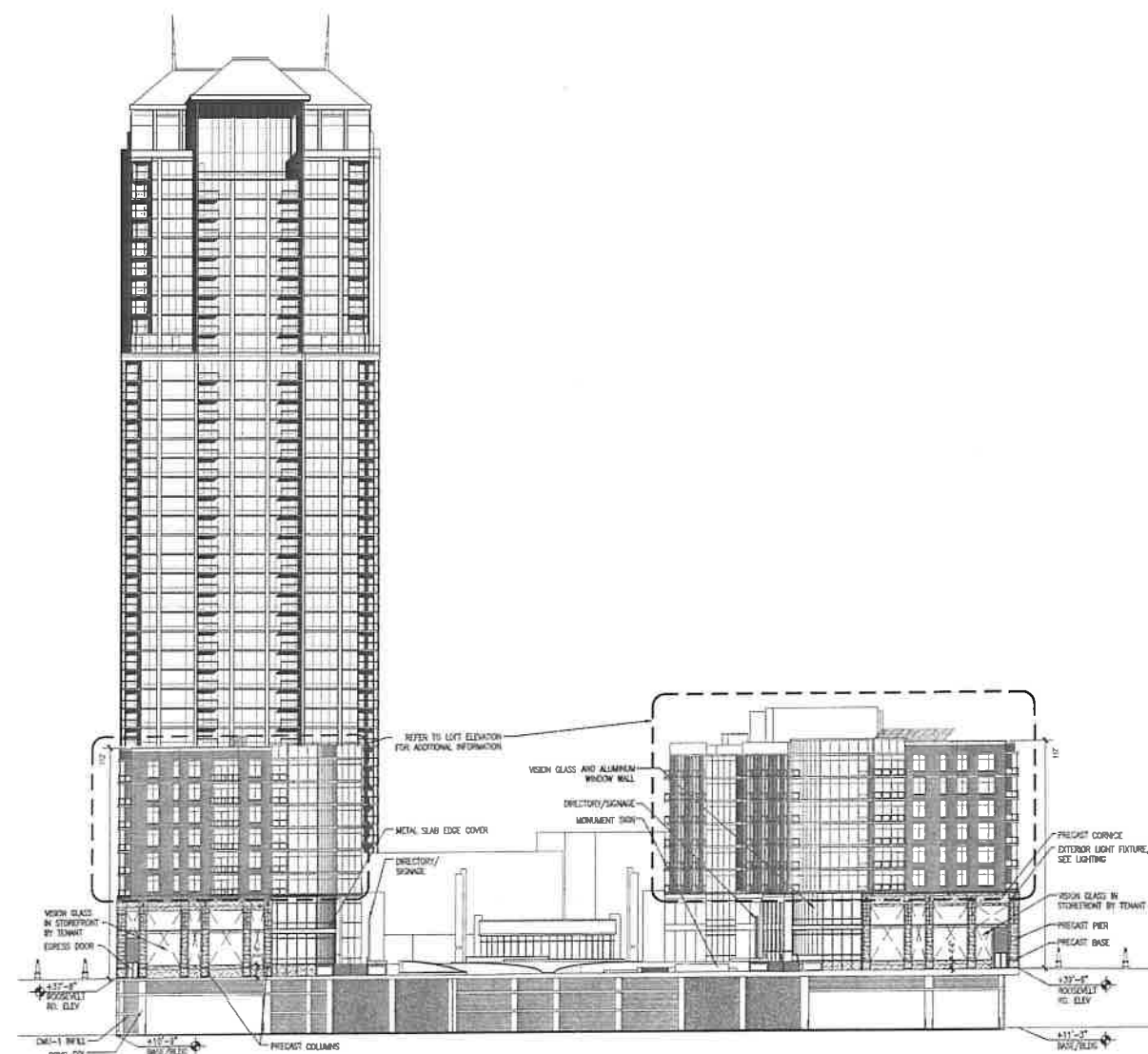
Project No. 26347
 Issue Date Aug. 4, 2006

AR.01E

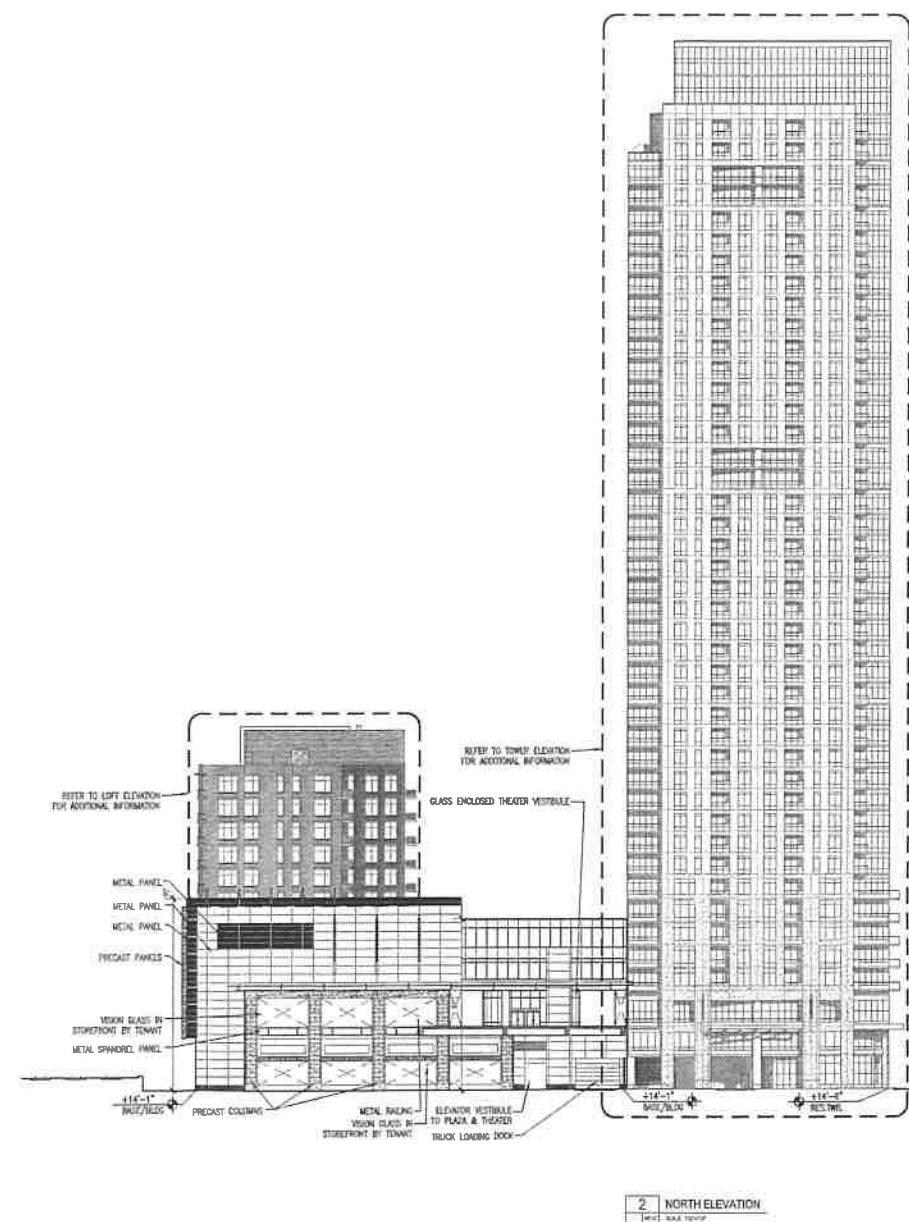
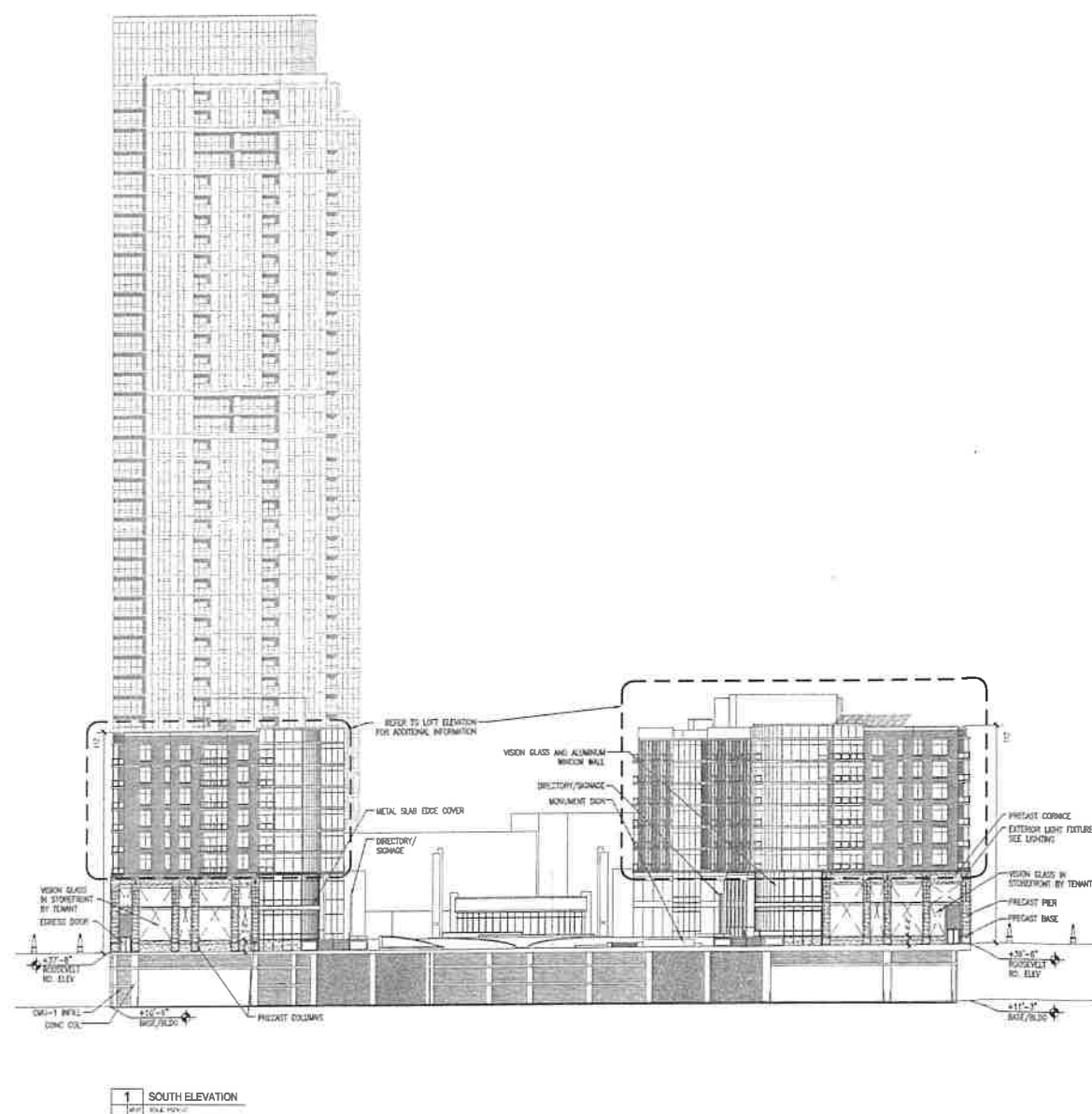
EXISTING SITE PLAN: WELLS STREET

SITE PLAN: WELLS STREET
 SCALE: 1"=40'

ALL PARKING SPACES & AISLE DIMENSIONS
 PER CHICAGO ZONING ORDINANCE



PROPOSED ELEVATIONS



EXISTING ELEVATIONS

RETAS ARCHITECT
RTKL ASSOCIATES INC.
340 S. Dearborn Street
Suite 4000
Chicago, IL 60606
312.754.9900
www.rtl.com

RESIDENTIAL ARCHITECTS
WILCOX ASSOCIATES &
125 W. Main
St. Paul
Orlando, FL 32815
312-894-0541
www.wilcoxassociates.com

ARCHITECT OF RECORD
J. BRITTON & BOND PCL, INC.
600 W. Fulton
9th Floor
Chicago, IL 60611
312-454-0100
www.jbrb.com

STRUCTURAL ENGINEER
WALTONSON & PARTNERS, INC.
330 W. Chicago Avenue
Suite 500
Chicago, IL 60610

212-214-2900
-2
HESS & FRIEDMAN
WATER CONSULTING ENGINEERS, LTD.
515 E. Wacker Drive
Suite 170
Chicago, IL 60601
212-760-4311

Civil Engineers
MILBROUGH ASSOCIATES
 130 E. Hawthorn Street
 Suite 1002
 Chicago, IL 60611
 312-944-7100

REPRODUCIBLE FLOWMETER EQUIPMENT
W-7 ANALYTICAL REAGENT GRADE
FLUORENTHYL, LLC
26 E. Study Drive
Billerica, MA 01821
617-866-1001

RESIDENTIAL PLUMB ENGINEER
ADVANCE MECHANICAL SVS TEAM, INC.
2000 South Carboy
Miami Prospect, FL 33150
813.633.7900

PLANNED LANDSCAPE ARCHITECT
WOLFF LANDSCAPE ARCHITECTURE
411 South Dearborn
Suite 700
Chicago, IL 60605

PAUL LANDSCAPE ARCHITECTS
THE LAKOTA GROUP, INC.
212 West Kinross
Third Floor

NOTE: SEE SHEET 0.3.1 FOR ALL SYMBOLS AND ABBREVIATIONS.

[illegible]

**ROOSEVELT
COLLECTION**
150 W Roosevelt Rd.
Chicago, Illinois

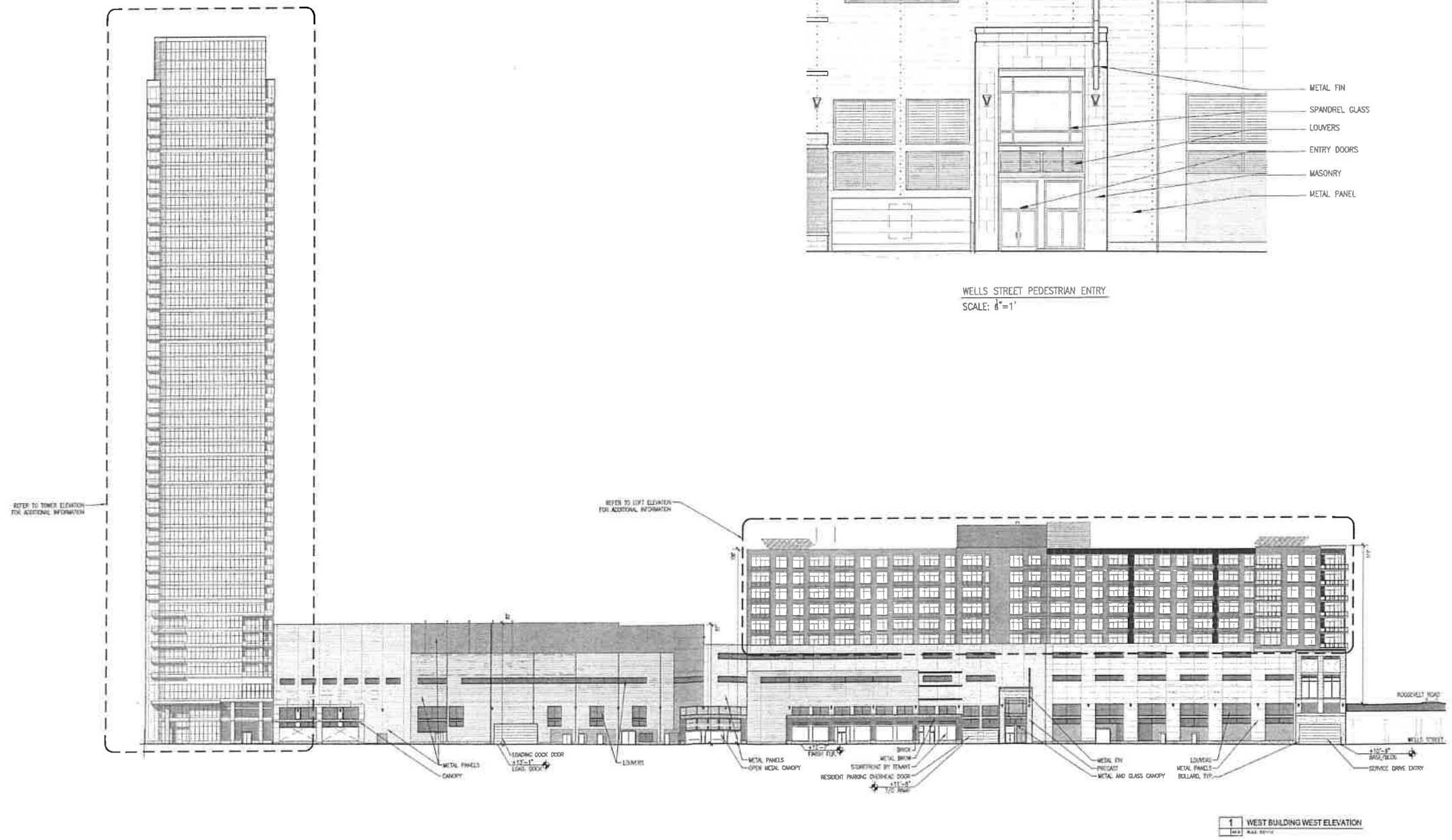
OWNER:
ROOSEVELT COLLECTION, LLC

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| Drawn | Checked | Approved |
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| Project No. | 2024 |
| Issue Date | Aug. 4, 200 |

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METAL ARCHITECT
5742 ALDOCHTER AVE.
140 S. Dearborn Street
Suite 1000
Chicago, IL 60603
312-704-8800
www.metal.com

RESIDENTIAL ARCHITECT
ROBERT ASSOCIATES INC.
225 N. Halsted
20th Floor
Chicago, IL 60610
312-467-0511
www.robert.com

ARCHITECT OF RECORD
A. SPITZBERG & ASSOCIATES, INC.
800 W. Fulton
8th Floor
Chicago, IL 60611
312-464-4100
www.spitzberg.com

STRUCTURAL ENGINEER
KAL VONKOR & PARTNERS, INC.
800 W. Chicago Avenue
Suite 600
Chicago, IL 60610
312-371-2400

M.E.P. & P.E. ENGINEER
SRA CONSULTING ENGINEERS, LTD.
615 S. Halsted Avenue
Suite 100
Chicago, IL 60607
312-788-4210

CIVIL ENGINEER
BROCKBUSH ASSOCIATES
10 S. Dearborn Street
Suite 1000
Chicago, IL 60601
312-466-7135

RESIDENTIAL PLANNING ENGINEER
BY BROWNSHAW ELECTRICAL
ENGINEERS, LLC
28 E. Brady Street
Schmieding, IL 60130
630-480-3440

RESIDENTIAL PLANNING ENGINEER
ADVANCE BIOCHEMICAL SYSTEMS, INC.
3000 South Century
Westbrook, IL 60089
630-480-2517

PLANT LANDSCAPE ARCHITECT
GROUP LANDSCAPE ARCHITECTURE
417 South Dearborn
Suite 700
Chicago, IL 60606
312-463-6664

PLANT LANDSCAPE ARCHITECT
THE LANDY GROUP, INC.
210 West Loop
Third Floor
Chicago, IL 60610
312-464-6400

NOTE: SEE SHEET G.3.1 FOR ALL SYMBOLS AND ABBREVIATIONS

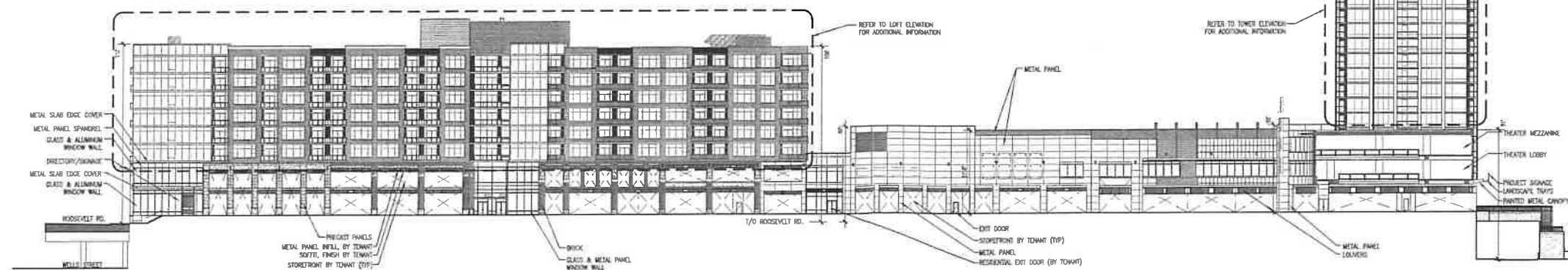
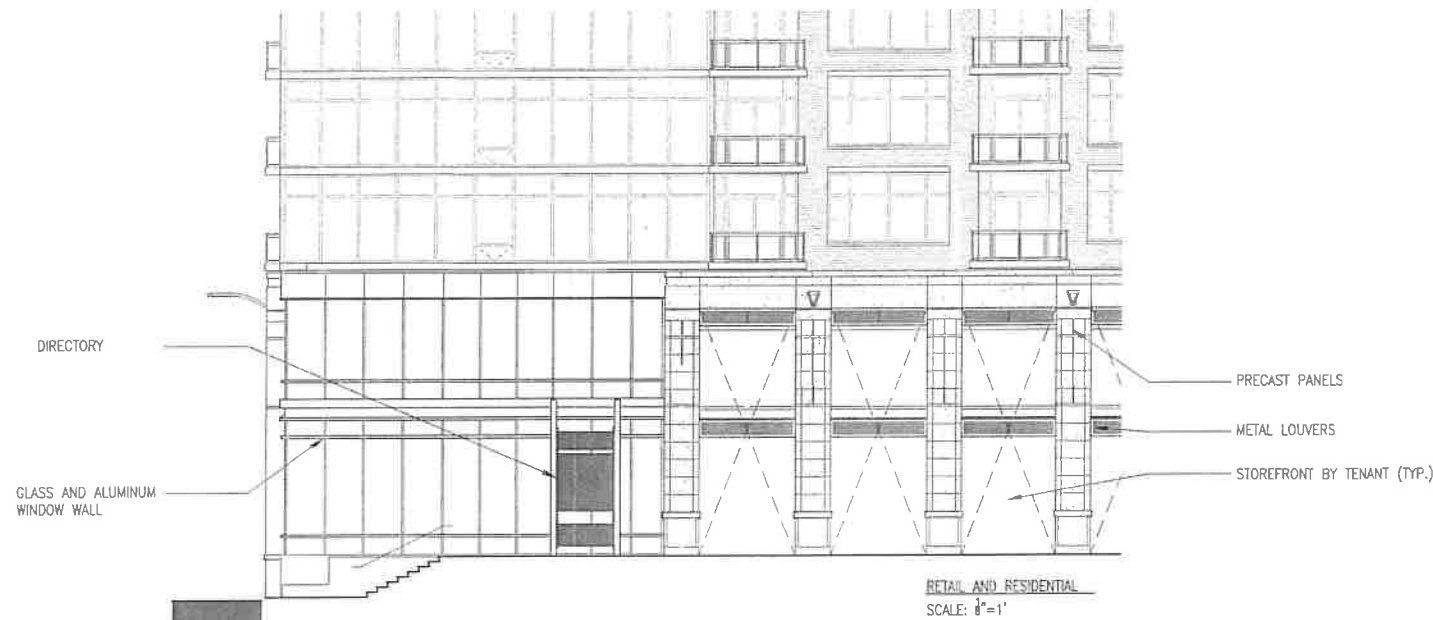
| No. | Date | Item |
|-----|----------|--------------------------|
| 1 | 02.01.07 | Issued for construction |
| 2 | 05.22.06 | Revised for construction |
| 3 | 05.22.06 | Revised for construction |
| 4 | 05.22.06 | Revised for construction |
| 5 | 05.22.06 | Revised for construction |
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| 99 | 05.22.06 | Revised for construction |
| 100 | 05.22.06 | Revised for construction |

ROOSEVELT COLLECTION
150 W Roosevelt Rd.
Chicago, Illinois

OWNER:
ROOSEVELT COLLECTION, LLC

| Drawn | Checked | Approved |
|------------------------------|--------------|----------|
| | | |
| WEST BUILDING WEST ELEVATION | | |
| Project No. | 26147 | |
| Issue Date | Aug. 4, 2006 | |
| AR.05E | | |

EXISTING ELEVATIONS

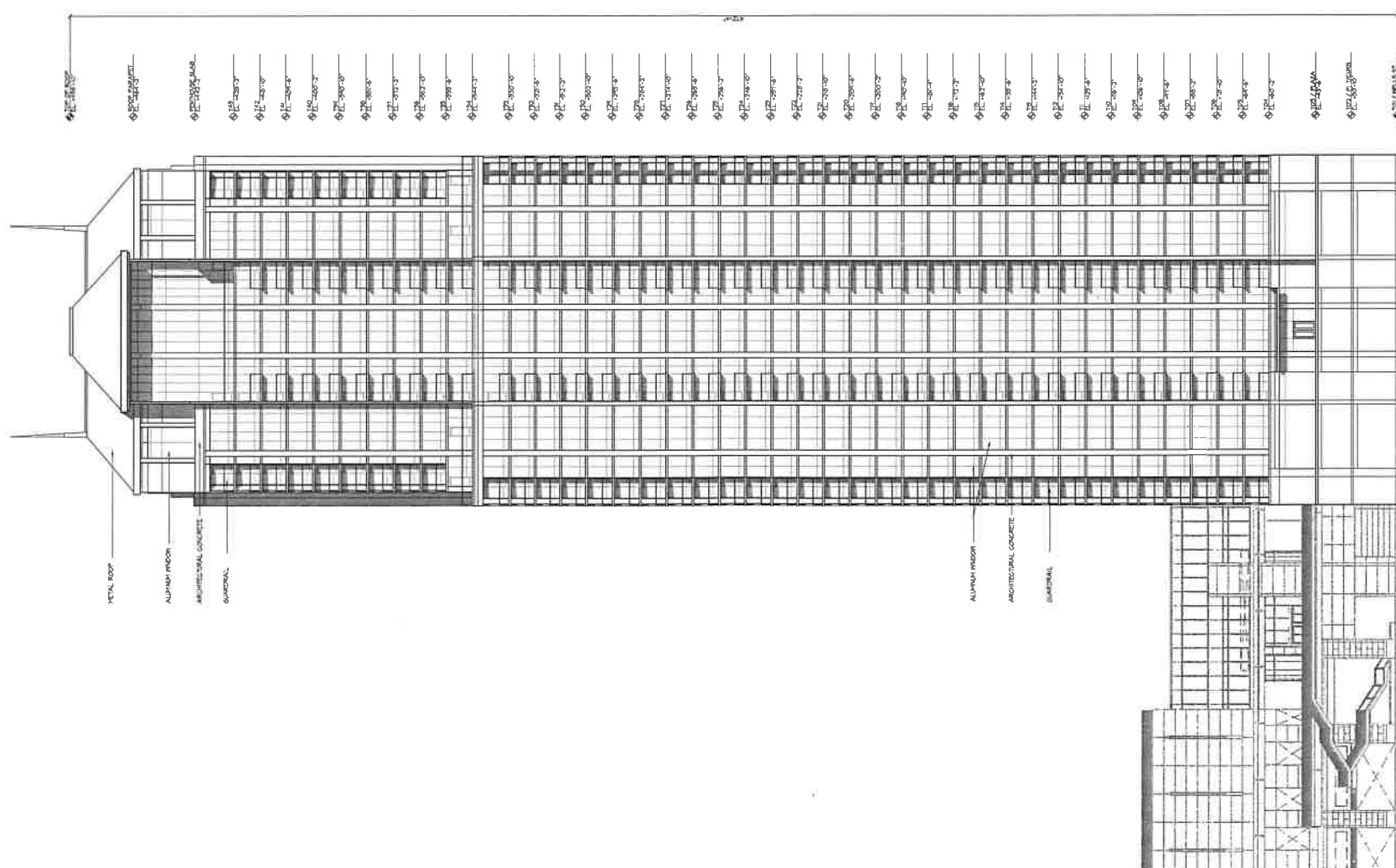


1 WEST BUILDING EAST ELEVATION

1/8" SCALE: 1/8"=1'

PROPOSED ELEVATIONS

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| General Notes: | | |
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PROPOSED ELEVATION

1 NORTH ELEVATION
SCALE: 1"=20'

General Notes:

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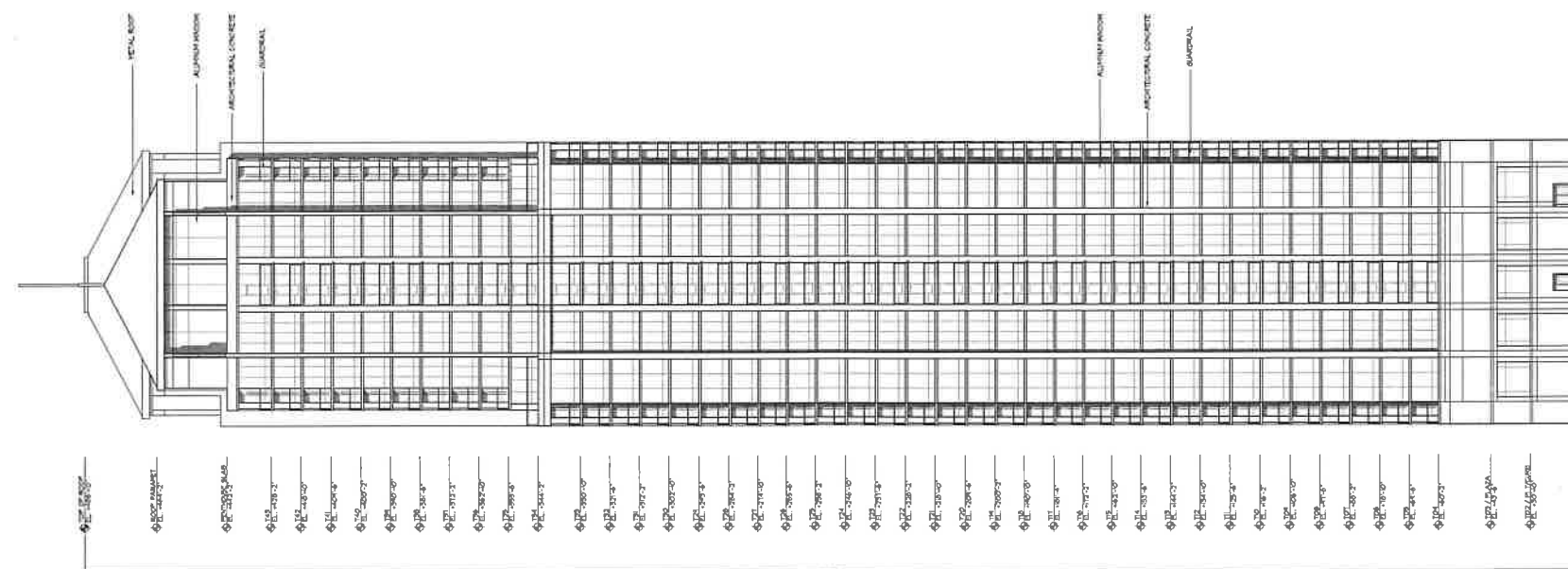
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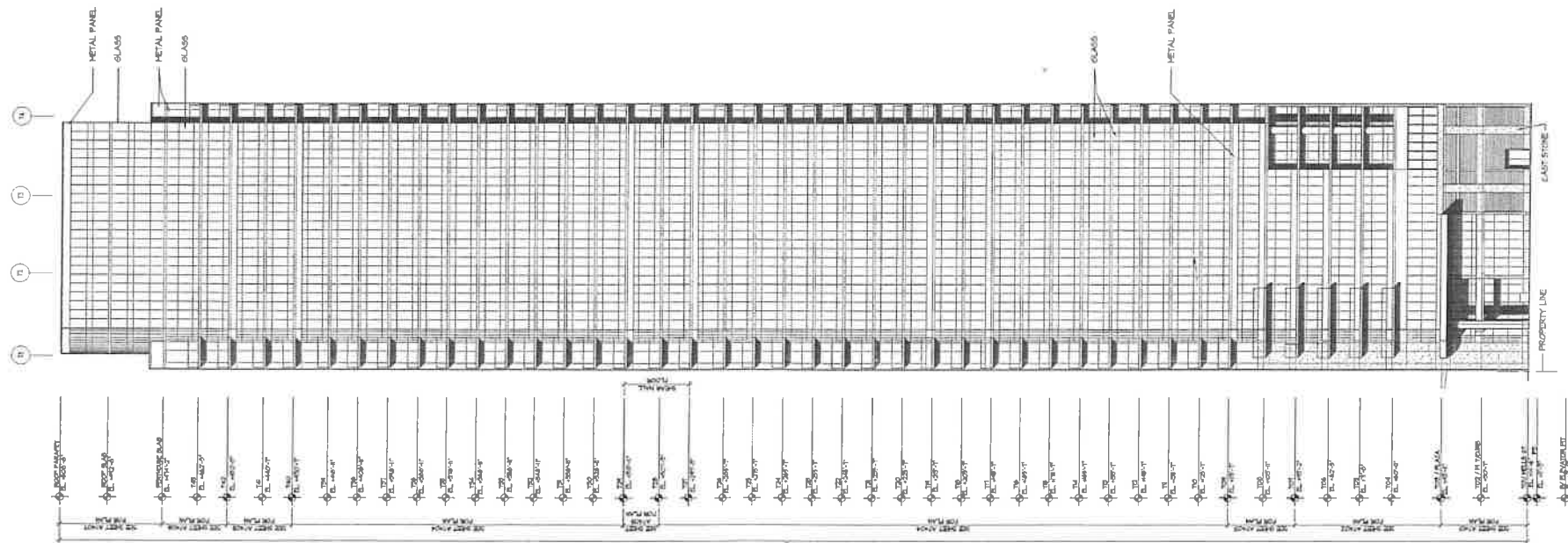
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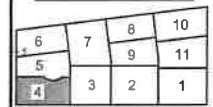


PROPOSED ELEVATION

| | | |
|---|--|----------------------|
| <p>Submitted: November 19, 2013</p> | | |
| <p>Submissions & Revisions</p> | | |
| <p>Developer:</p> <p>MCCAFFERY ROOSEVELT, LLC.</p> <p>477 N. LAUREL BLVD. (15TH FLOOR) CHICAGO, IL 60610 Phone: (312) 564-1111 Fax: (312) 564-1112</p> | | |
| <p>Architect:</p> <p>ANTONOVICH ASSOCIATES P.A.</p> <p>778 N. LAUREL BLVD. (15TH FLOOR) CHICAGO, IL 60610 Phone: (312) 564-1111 Fax: (312) 564-1112</p> | | |
| <p>General Contractor:</p> <p>W.E. O'Neil</p> <p>211 N. CLAYTON ST. CHICAGO, IL 60610 Phone: (312) 222-1000 Fax: (312) 222-1001</p> | | |
| <p>Structural Engineer:</p> <p>Halvorson & Partners, Inc.</p> <p>100 W. Chicago Ave., Suite 1700 Chicago, IL 60610 Phone: (312) 762-2400 Fax: (312) 762-2401</p> | | |
| <p>Civil Engineer:</p> <p>Spacore, Inc.</p> <p>441 N. Dearborn Rd., Suite 700 Chicago, IL 60610 Phone: (312) 321-1000 Fax: (312) 321-1001</p> | | |
| <p>Mechanical/Electrical/Plumbing/Fire Protection Engineers:</p> <p>WMA Consulting Engineers, Ltd.</p> <p>111 N. Wacker Dr., Suite 1100 Chicago, IL 60601 Phone: (312) 762-2400 Fax: (312) 762-2401</p> | | |
| <p>Landscape Architects:</p> <p>Wolfe Landscape Architects, Inc.</p> <p>100 W. Madison Ave., Suite 1000 Chicago, IL 60601 Phone: (312) 564-1111 Fax: (312) 564-1112</p> | | |
| <p>Project Location:</p> <p>ROOSEVELT COLLECTION 150 West Roosevelt Road Chicago, Illinois 60605</p> | | |
| <p>Drawing Title:</p> <p>TOWER WEST ELEVATION</p> | | |
| <p>Scale:</p> | | <p>Notes:</p> |
| <p>Drawing No.:</p> | | <p>AT202</p> |



1 WEST ELEVATION
SCALE: 1/8\"/>



KEY PLAN

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| 02.22.06 | Revised |
| 02.24.06 | Revised |
| 02.24.06 | Revised |
| No Date | Item |

ROOSEVELT COLLECTION
Chicago, Illinois

OWNER:
ROOSEVELT COLLECTION, LLC

Drawn: J5/18M
Checked: J5/18M
Approved: J5/18M

TOWER
WEST ELEVATION

Project No.
Issue Date
AT202E

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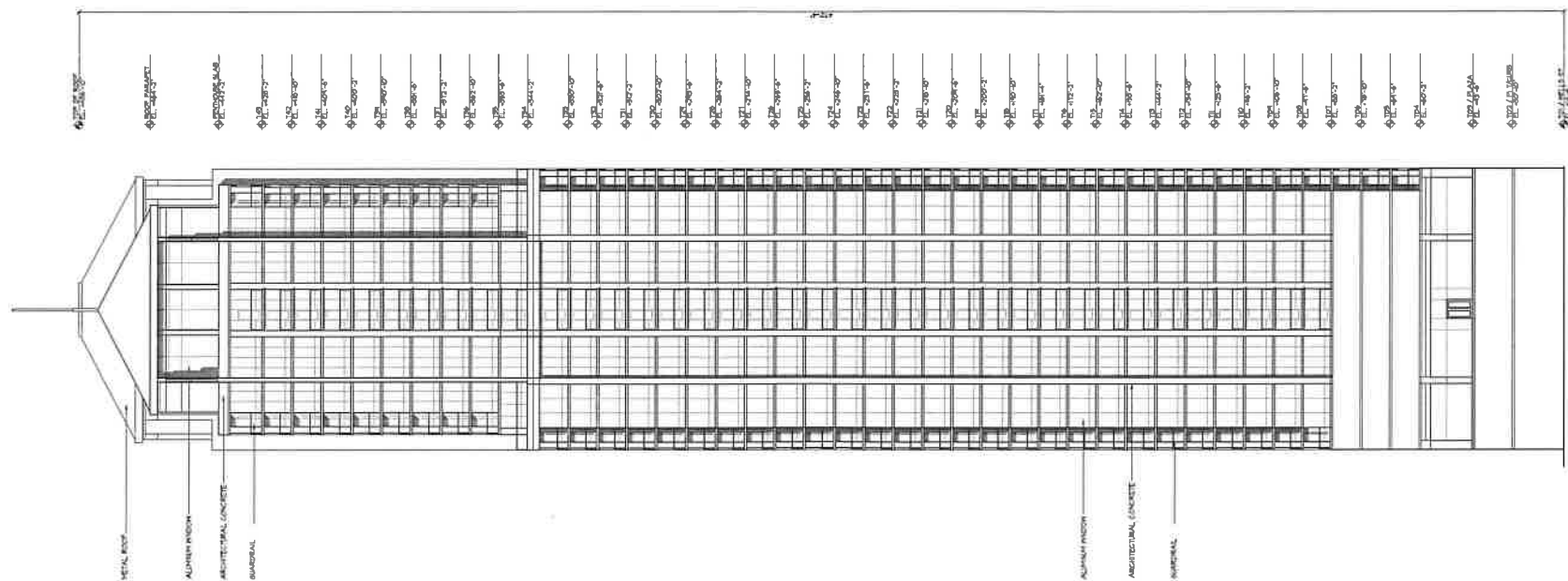
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Topic Date

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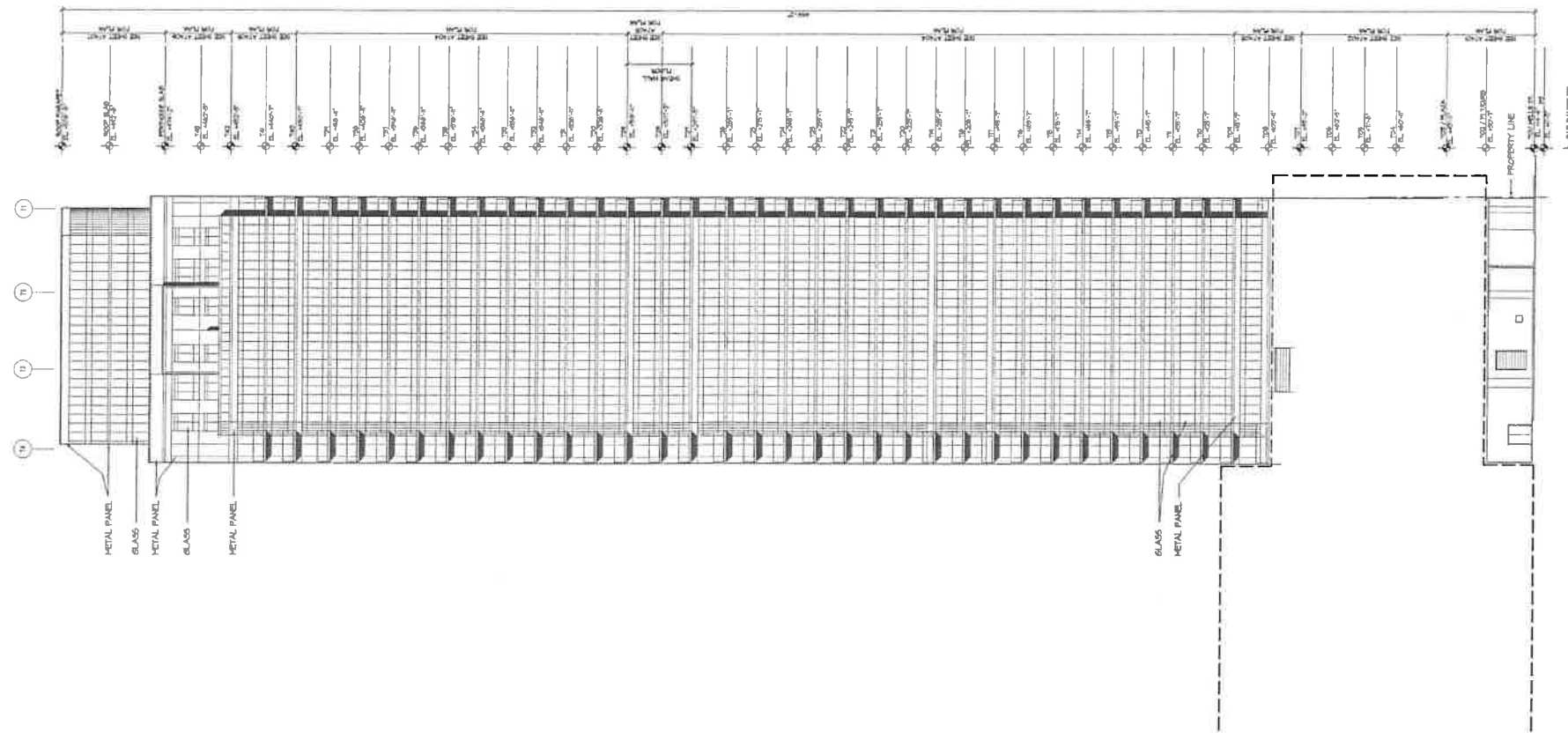
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PROPOSED ELEVATION

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EXISTING ELEVATION

PERMANENT ARCHITECT
PERMANENT ASSOCIATES, LLC
221 W. Madison
8th Floor
Chicago, IL 60601
312.467.1111
www.permanentarchitect.com

DETAIL ARCHITECT
DETAIL ASSOCIATES INC.
140 S. Dearborn Street
Suite 400
Chicago, IL 60603
312.754.8800
www.detail.com

ARCHITECT OF RECORD
A. BENTLEY AND SONS INTERIOR DESIGN, INC.
800 W. Fulton Street
Chicago, IL 60611-7004
312.464.8100
www.abentleyandsons.com

CIVIL ENGINEER
KROGHEN ASSOCIATES
330 E. Randolph Street
Suite 1500
Chicago, IL 60601
312.446-1139

LANDSCAPE ARCHITECT
HOLLY LANDSCAPE ARCHITECTURE
301 North Michigan Avenue
Suite 801
Chicago, IL 60611
312.463-3401

STRUCTURAL ENGINEER
HALL VORSTON & PARTNERS, INC.
801 W. Chicago Avenue
Suite 800
Chicago, IL 60611
312.771-3600

MECHANICAL ENGINEER
ADVANCE MECHANICAL SYSTEMS, INC.
2200 South Center
Aurora, Illinois 60004
630.883.2111

ELECTRICAL ENGINEER
R.T. BRIDGES ELECTRICAL ENGINEERING, LLC
30 E. Brady Drive
Bloomington, IL 61710
815.885.3540

FIRE PREVENTION ENGINEER
UNITED STATES FIRE PROTECTION ASSOCIATION
1411 N. Dearborn Ave.
Lake Forest, IL 60045
847.474-0000

ELECTRICAL ENGINEER
HSA CONSULTING ENGINEERS, LTD.
815 E. Roosevelt Avenue
Suite 100
Chicago, IL 60605
312.788-4312

FIRE ALARM CONSULTING ENGINEER
BSP ELECTRONIC SYSTEMS
408 Center Drive
Aurora, Illinois 60004
630.398-4400

CERTIFICATION
I, the undersigned, being a duly Licensed Professional Engineer in the State of Illinois, do hereby certify that the above is a true and correct copy of the original as the same appears in my files and records.

LENDER NO.
REVISED
EXPIRATION DATE
01-01-2008

SCALE 1/8"

KEY PLAN

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Legend:
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98. 01.07.98 RT
99. 01.07.99 RT
100. 01.07.100 RT

Owner:
ROOSEVELT COLLECTION, LLC

15/100

XXI

Drawn: _____
Checked: _____
Approved: _____

TOWER
EAST ELEVATION

Project No.
Issue Date

AT204E



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

December 14, 2020

Susan Stiber
Project Manager
Northwestern Memorial Health Care
211 E. Ontario St., Suite 800
Chicago, IL 60611

Re: Minor change request for PD No. 523, Subareas I and II
Northwestern Healthcare signage at 1135 S. Delano Court

Dear Ms. Stiber:

Please be advised that your request for a minor change to Residential Business Planned Development No. 523, ("PD 523") has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement Number 13 of PD 523.

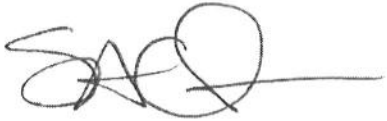
On behalf of Northwestern Memorial Healthcare ("NM Healthcare"), you are seeking a minor change to the signage agreement for Roosevelt Collection. The Subarea I and II property owner, PR 150 Roosevelt Shops LLC, has provided their consent to your request. The 2012 signage agreement states that any tenant occupying more than one retail bay or more than one floor is limited to one principal wall sign per elevation, one blade sign and awning signs. NM Healthcare occupies a corner office space on the 2nd floor, which has 220 feet of frontage along Delano Court and 90 feet of frontage along Roosevelt Road. NM Healthcare's existing building signage is comprised of one wall sign on each street frontage. They are seeking to replace the blade sign and awning signs, allowed in the current signage agreement, with three wall signs, resulting in a total of five wall signs. Two wall signs will be affixed to the Roosevelt Road elevation and three will be attached to the Delano Court frontage, as illustrated on the attached exhibit.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed sign type substitutions will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development. Therefore, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 523, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued

PD 523
Minor Change
December 14, 2020
Page 2

to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,

A handwritten signature in black ink, appearing to read 'SV' followed by a stylized flourish and a horizontal line.

Steven Valenziano
Assistant Zoning Administrator

SV:tm

C: Mike Marmo, Main file

Northwestern Medicine occupied space –
Immediate Care and Medical Offices



Existing entrance conditions.

Existing signs have halo-illuminated letters.

EXISTING



KIKU OBATA

Northwestern Medicine

October 29, 2020
© 2020 Kiku Obata & Company
www.kikubata.com

South Loop ICC Signage

Existing Conditions



Overhead entrance ID sign has face illuminated letters.

Top signs have halo-illuminated letters; bottom signs have face illuminated letters.

Proposed



KIKU OBATA

Northwestern Medicine

October 29, 2020
 © 2020 Kiku Obata & Company
 www.kikubata.com

South Loop ICC Signage

Proposed Signage



**DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO**

December 15, 2015

Chris Leach
Schuyler, Roche & Crisham, P.C
Two Prudential Plaza
180 N. Stetson Avenue - Suite 3700
Chicago, Illinois 60601

Re: Site Plan Approval-Planned Development No. 523, as it pertains to Subarea IV (801 S. Financial St.)

Mr. Leach:

Please be advised that your request on behalf of Wood Partners ("Applicant") for Site Plan approval in connection with the development of Subarea IV has been considered by the Department of Planning and Development (DPD). The Applicant seeks approval of the attached Site Plan, and revised elevations. The proposed building consists of a mixed use building, to be constructed in accordance with the plans, elevations and project data (collectively, the "Plans") prepared by PappaGeorge Hames Architecture.

Features of the proposal for Subarea IV include:

- A 33-story building (354 foot height), 496 dwelling units, and 348 accessory parking spaces.
- A residential lobby is located on the 1st floor along with building services and structured parking.
- Parking and building services are located in the basement, 2nd and 3rd floor. Building amenities are located on the 4th floor with outdoor space including a pool, deck and green space.
- The dwelling units are located on portions of the 3rd and 4th floors. The remaining bulk of the dwelling units are located on the 5th -30th floors. The 31st – 33rd floors are considered penthouse units with higher ceilings and slightly larger floor plans covering the same plate.

With regards to the Site Plan Approval request DPD has determined the revised plans meet the applicable requirements of the Planned Development. The plan development contemplates a courtesy presentation to the Chicago Plan Commission if the proposed building exceeds the 380 foot maximum building height as stipulated in the Bulk and Data Table.

With respect to the proposed building height and the request to present at City of Chicago Plan Commission, the revised building elevations identify a building no greater than 354 feet in height. Not having exceeded the 380 foot maximum permitted height the project was not required to present at the Chicago Plan Commission. Accordingly, for the reasons stated above, I hereby approve the requested Site Plan Approval Letter for Subarea IV of Planned Development No. 523, but no others.

The following Plans, prepared by PappaGeorge Hames Architecture, and dated November 24, 2015, are hereby made part of the planned development for Subarea IV:

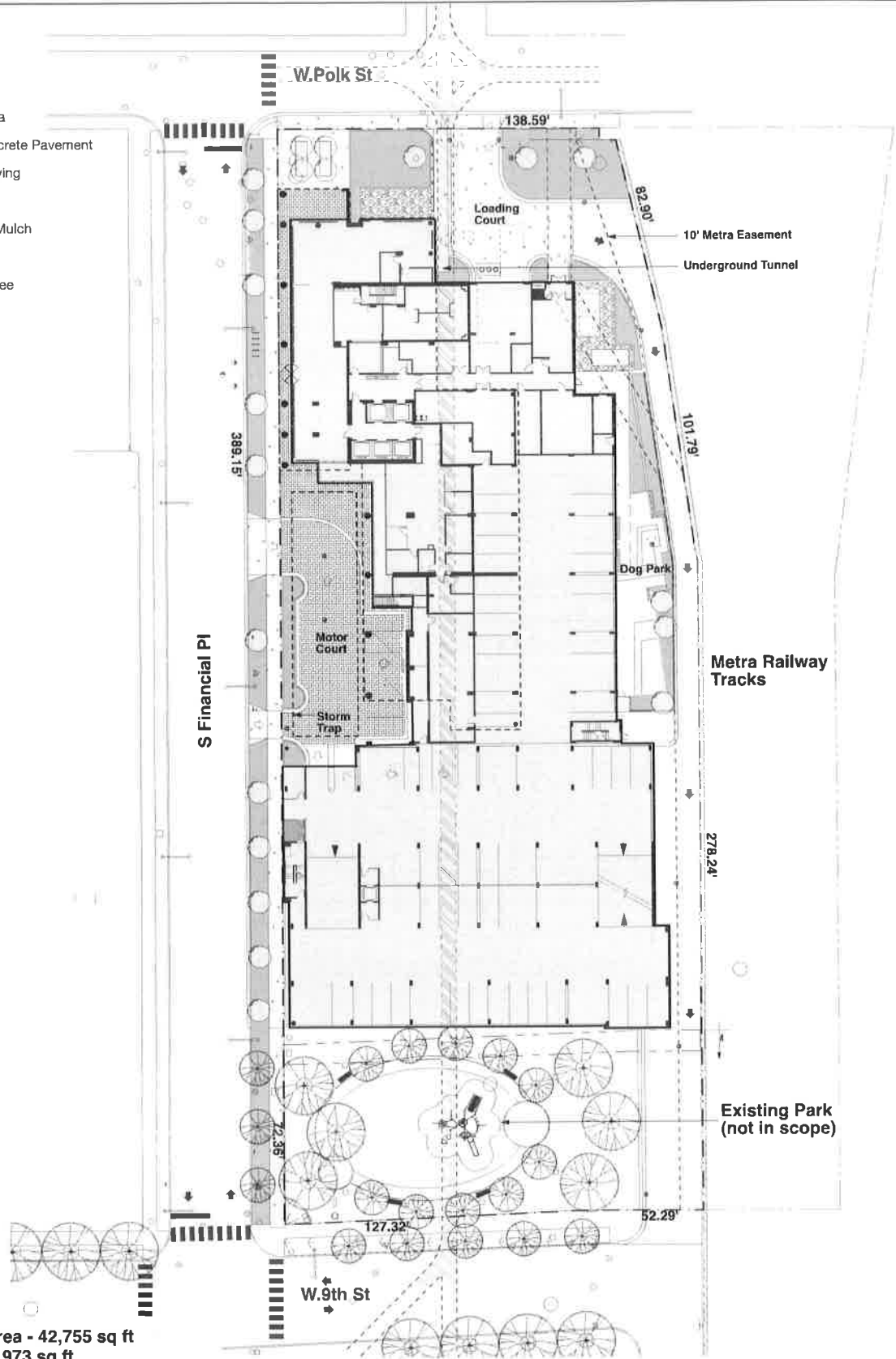
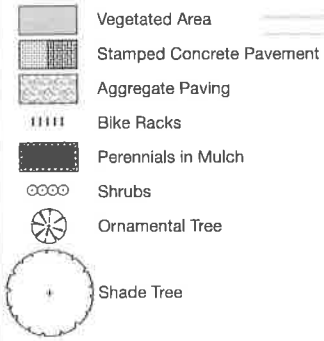
Site Plan; Landscape Plan; and the East Elevation; West Elevation; North Elevation; and South Elevation.

Sincerely,

Patricia A. Scudiero
Zoning Administrator
PAS: HG.fe

cc: Heather Gleason, Mike Marmo, Erik Glass, Planned Development Files
121 NORTH LASALLE STREET, ROOM 1000, CHICAGO ILLINOIS 60602

LEGEND:



Total First Floor Area - 42,755 sq ft
Property Area - 66,973 sq ft

PAPPAGEORGE
HAYMES

Pappageorge Haymes Partners

640 N. LaSalle, Suite 400
Chicago, IL 60654
O: 312.337.9344 F: 204.8988

Applicant:

WP West Acquisitions, L.L.C.

Address:

801 South Financial Place

Date:

November 24th, 2015

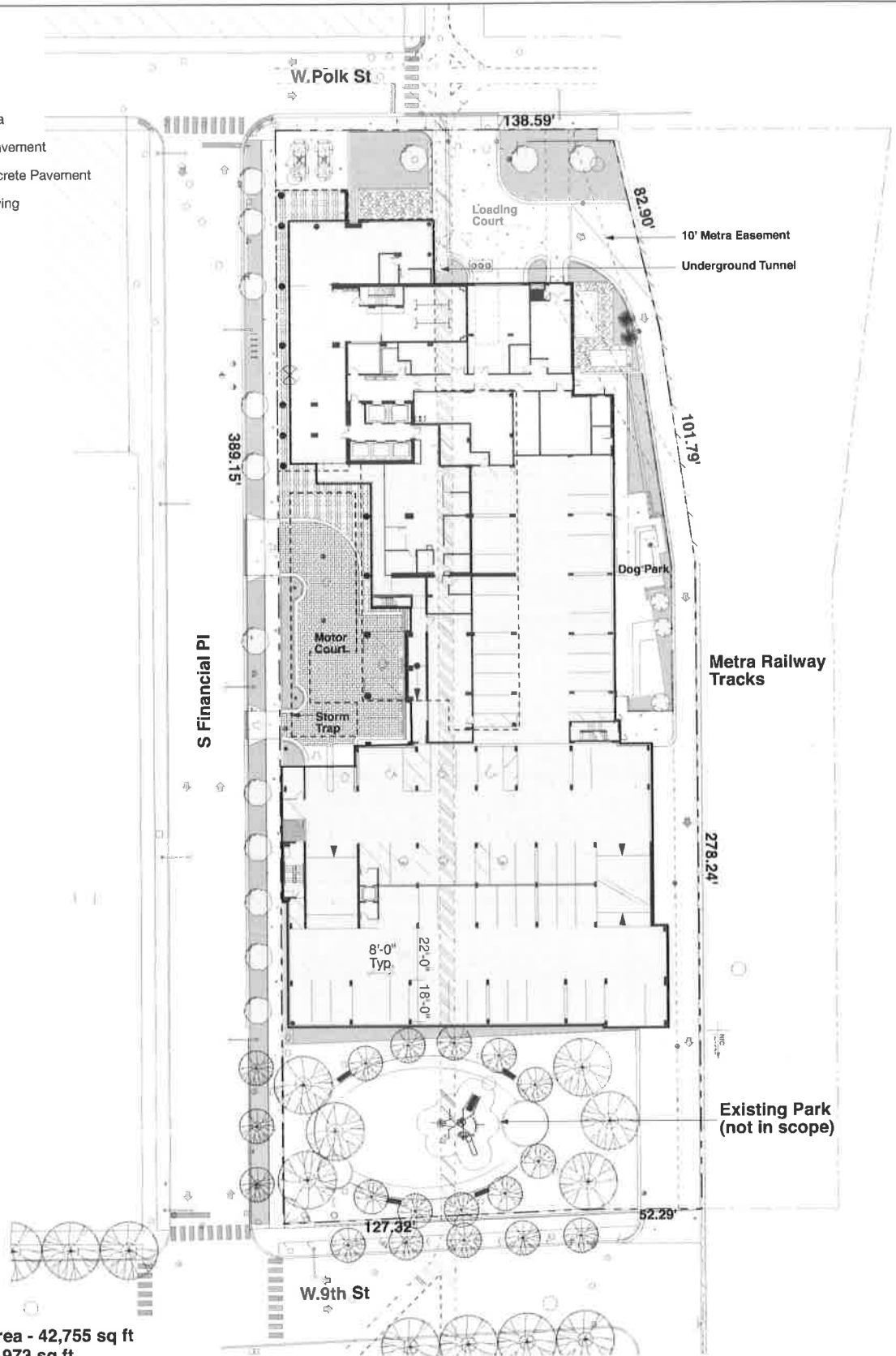
Site Plan

Scale: 1/64" = 1'-0"



LEGEND:

-  Vegetated Area
-  Heavy Duty Pavement
-  Stamped Concrete Pavement
-  Aggregate Paving
-  Bike Racks



Total First Floor Area - 42,755 sq ft
Property Area - 66,973 sq ft

Pappageorge Haymes Partners
 PAPPAGEORGE
 HAYMES
 640 N. LaSalle, Suite 400
 Chicago, IL 60654
 O: 312.337.3344 F: 204.8988






Applicant: WP West Acquisitions, L.L.C.
Address: 801 South Financial Place
Date: December 14th, 2015

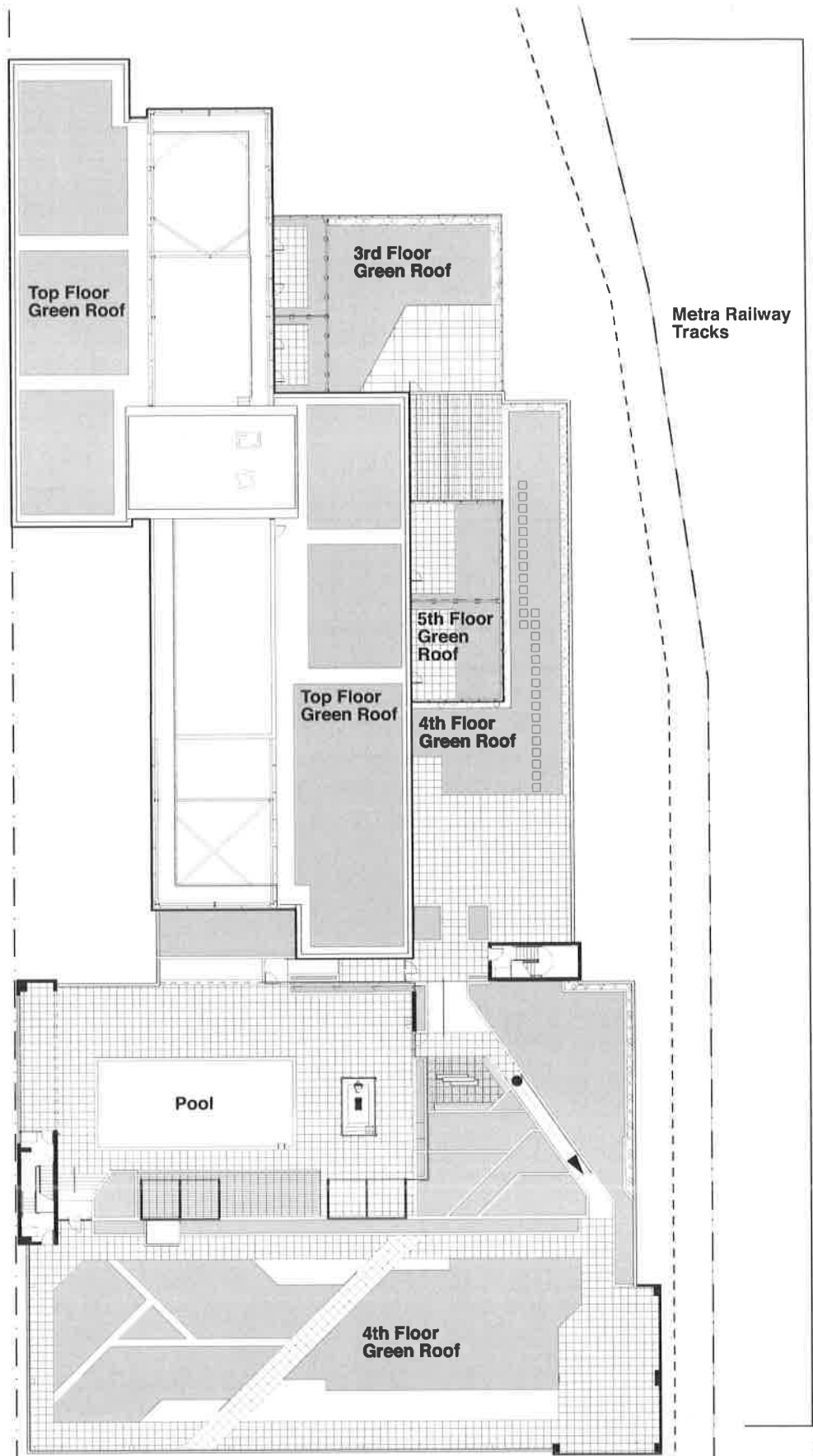
Site Plan

Scale: 1/64" = 1'-0"



LEGEND:

-  Extensive Green Roof Trays
-  Pedestal Pavers
-  Wood Decking
-  Stone Ballast
-  Decomposed Granite Pavement



Total Roof Area - 45,394 sq ft
Total Green Roof Area - 17,418 sq ft

PAPPAGEORGE
HAYMES

Pappageorge Haymes Partners

640 N. LaSalle, Suite 400
Chicago, IL 60654
O: 312.337.3344 F: 204.8988

Applicant:

WP West Acquisitions, L.L.C.

Address:

801 South Financial Place

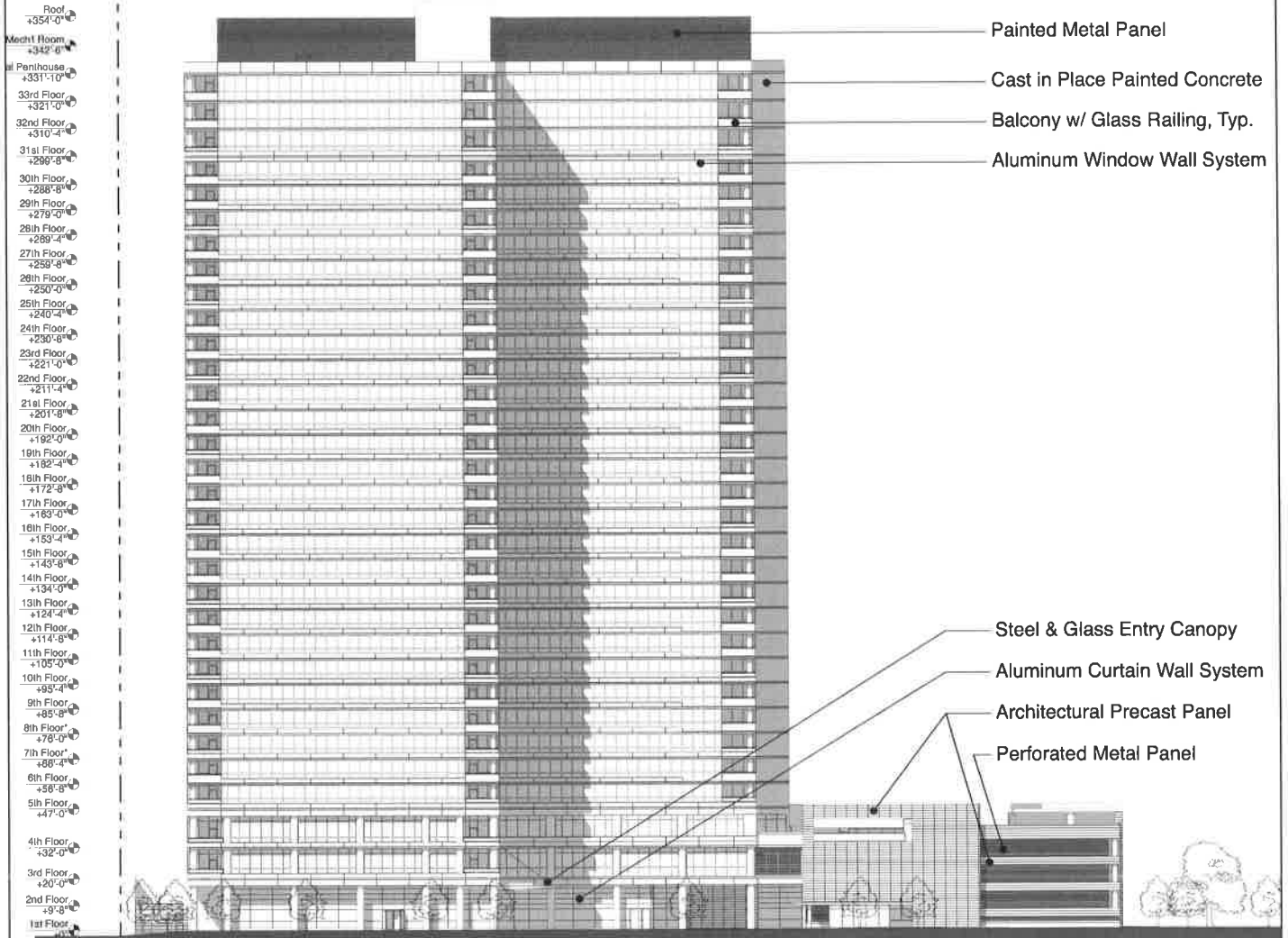
Date:

December 14th, 2015

Green Roof Plan

Scale: 3/64" = 1'-0"





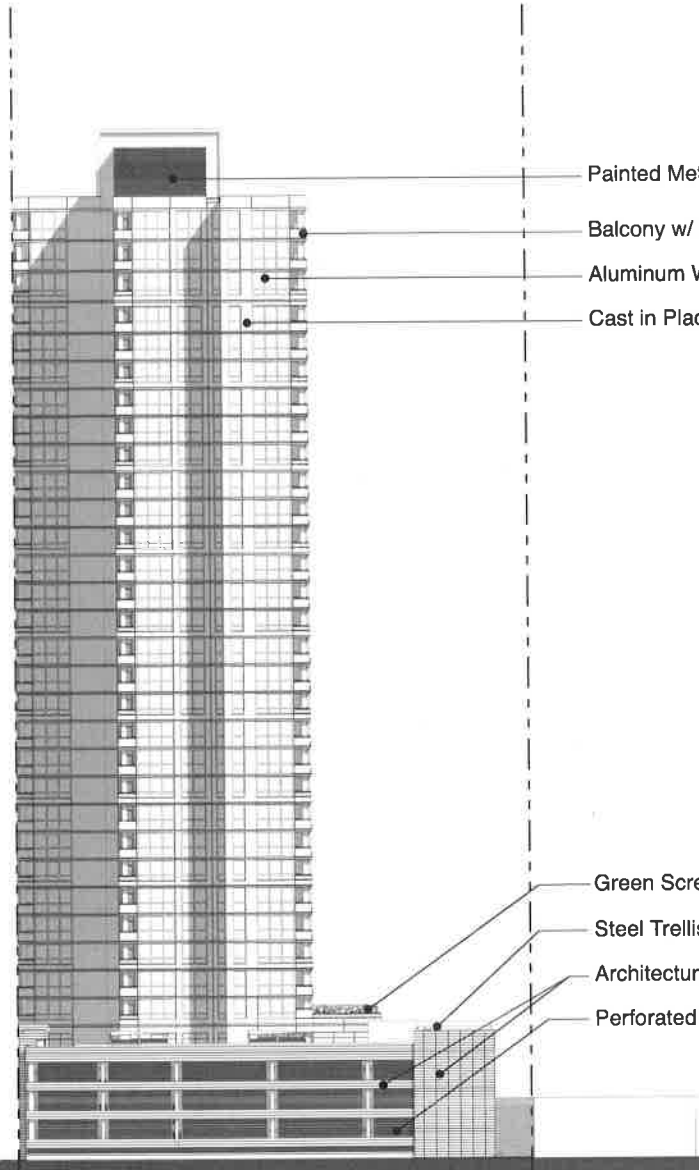
Pappageorge Haymes Partners

640 N. LaSalle, Suite 400
Chicago, IL 60654
O: 312.337.3344 F: 204.8988

Applicant: WP West Acquisitions, L.L.C.
Address: 801 South Financial Place
Date: November 24th, 2015

West Elevation
Scale: 1/64" = 1'-0"

Roof
+354'-0"
 Elevator Mech1 Room
+342'-0"
 Mechanical Penthouse
+331'-10"
 33rd Floor
+321'-0"
 32nd Floor
+310'-4"
 31st Floor
+299'-8"
 30th Floor
+288'-8"
 29th Floor
+279'-0"
 28th Floor
+269'-4"
 27th Floor
+259'-8"
 26th Floor
+250'-0"
 25th Floor
+240'-4"
 24th Floor
+230'-8"
 23rd Floor
+221'-0"
 22nd Floor
+211'-4"
 21st Floor
+201'-8"
 20th Floor
+192'-0"
 19th Floor
+182'-4"
 18th Floor
+172'-8"
 17th Floor
+163'-0"
 16th Floor
+153'-4"
 15th Floor
+143'-8"
 14th Floor
+134'-0"
 13th Floor
+124'-4"
 12th Floor
+114'-8"
 11th Floor
+105'-0"
 10th Floor
+95'-4"
 9th Floor
+85'-8"
 8th Floor
+76'-0"
 7th Floor
+66'-4"
 6th Floor
+56'-8"
 5th Floor
+47'-0"
 4th Floor
+32'-0"
 3rd Floor
+20'-0"
 2nd Floor
+9'-8"
 1st Floor
+0'-0"



Painted Metal Panel
 Balcony w/ Glass Railing, Typ.
 Aluminum Window Wall System
 Cast in Place Painted Concrete

Green Screen
 Steel Trellis
 Architectural Precast Panel
 Perforated Metal Panel

PAPPAGEORGE
 HAYMES

Pappageorge Haymes Partners

640 N. LaSalle, Suite 400
 Chicago, IL 60654
 O: 312.337.3344 F: 204.8988

Applicant:

WP West Acquisitions, L.L.C.

Address:

801 South Financial Place

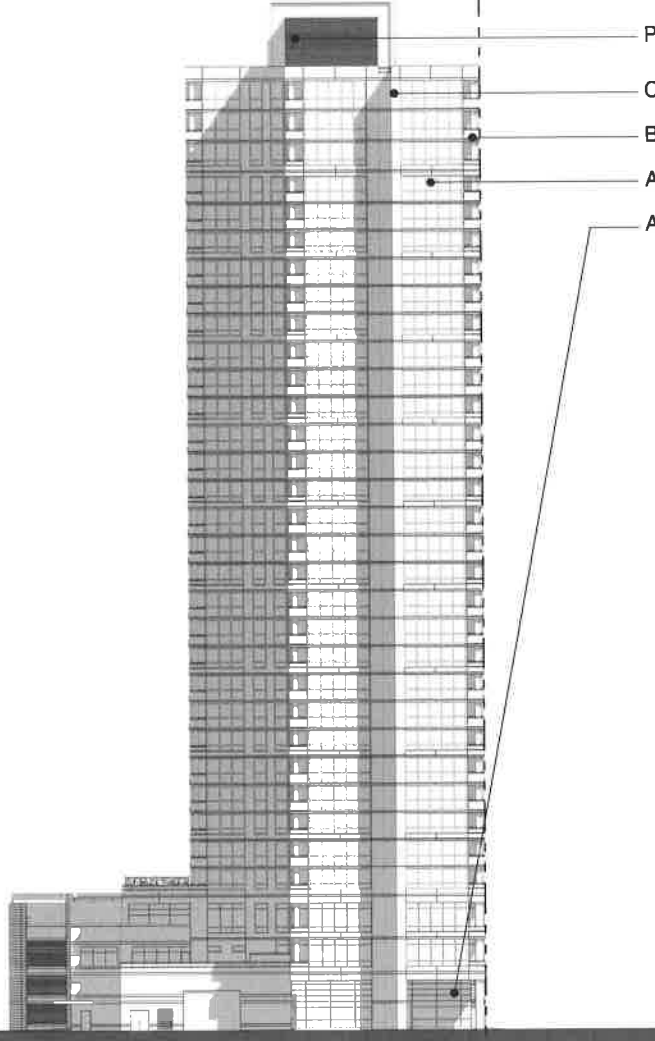
Date:

November 24th, 2015

South Elevation

Scale: 1/64" = 1'-0"

Roof
 +354'-0"
 Elevator Mech1 Room
 +342'-8"
 Mechanical Penthouse
 +331'-10"
 33rd Floor
 +321'-0"
 32nd Floor
 +310'-4"
 31st Floor
 +299'-8"
 30th Floor
 +288'-8"
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 4th Floor
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 3rd Floor
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 2nd Floor
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 1st Floor
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Painted Metal Panel
 Cast in Place Painted Concrete
 Balcony w/ Glass Railing, Typ.
 Aluminum Window Wall System
 Aluminum Curtain Wall System

PAPPAGEORGE
 HAYMES

Pappageorge Haymes Partners

640 N. LaSalle, Suite 400
 Chicago, IL 60654
 O: 312.337.3344 F: 204.8988

Applicant:

WP West Acquisitions, L.L.C.

Address:

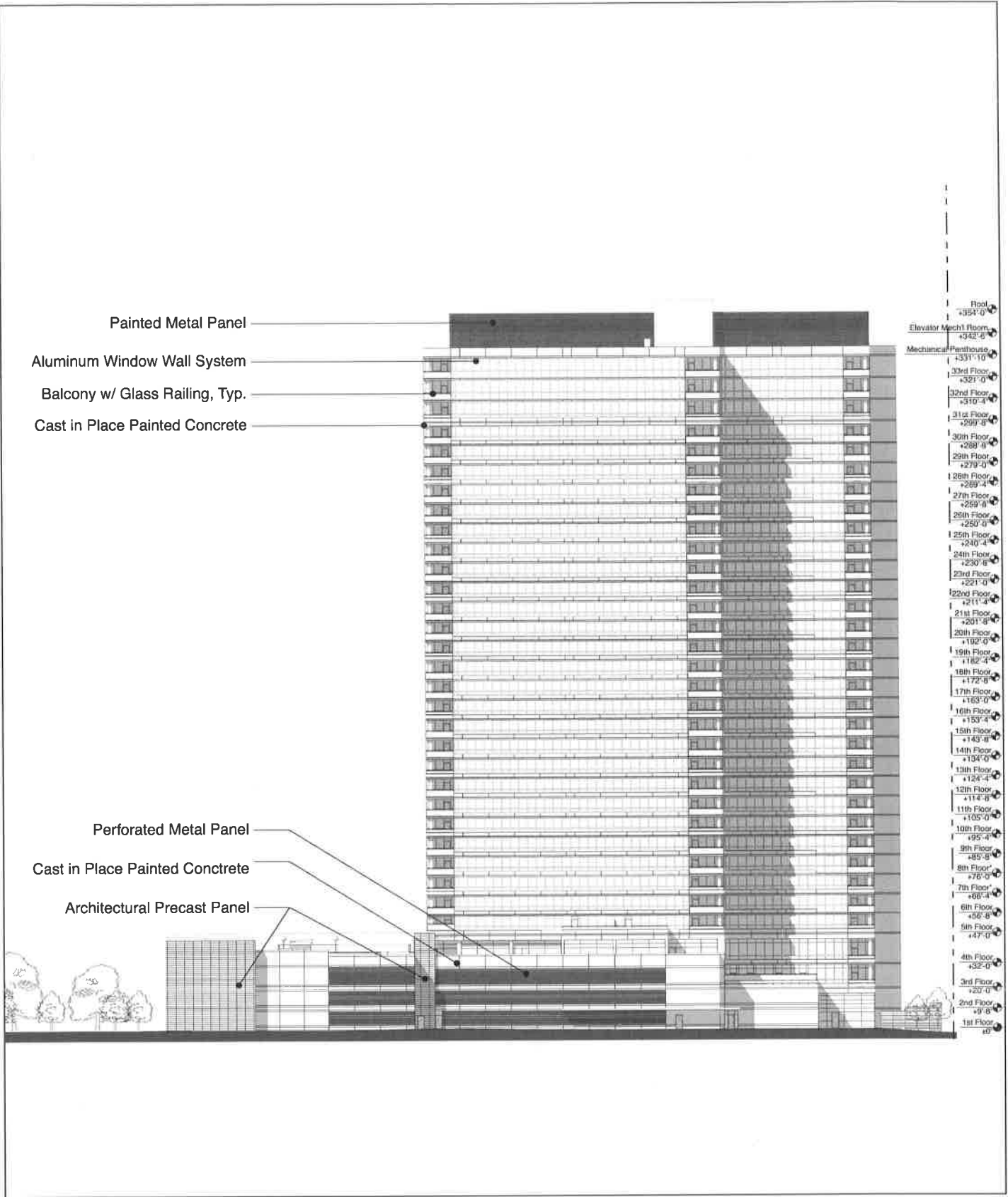
801 South Financial Place

Date:

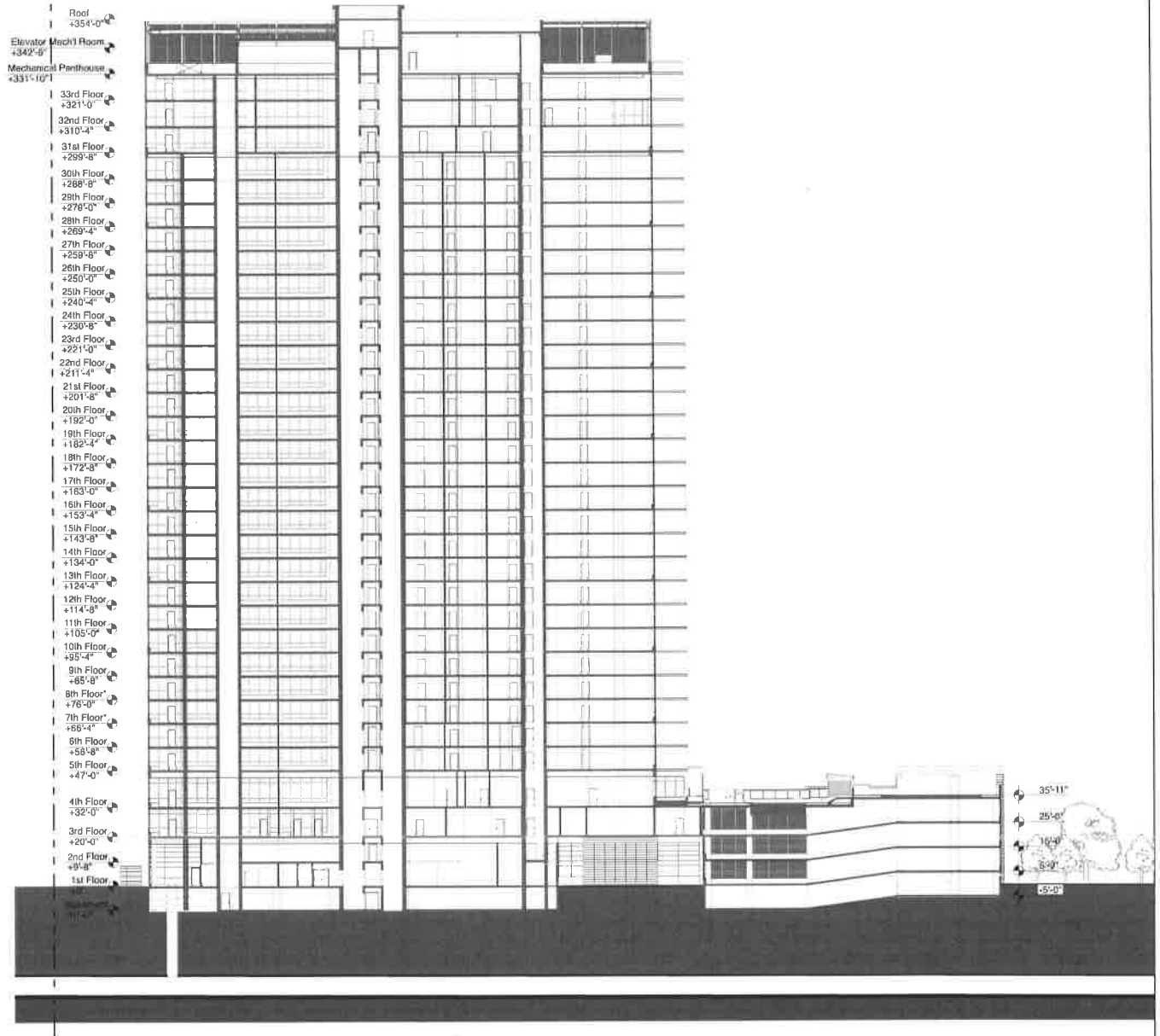
November 24th, 2015

North Elevation

Scale: 1/64" = 1'-0"



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| PAPPAGEORGE HAYMES | Pappageorge Haymes Partners 640 N. LaSalle, Suite 400 Chicago, IL 60654 O: 312.337.3344 F: 204.8988 | Applicant: Address: Date: | WP West Acquisitions, L.L.C. 801 South Financial Place November 24th, 2015 | East Elevation Scale: 1/64" = 1'-0" |
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PAPPAGEORGE
HAYMES

Pappageorge Haymes Partners

640 N. LaSalle, Suite 400
Chicago, IL 60654
O: 312.337.3344 F: 204.8988

Applicant:

WP West Acquisitions, L.L.C.

Address:

801 South Financial Place

Date:

November 24th, 2015

Building Section

Scale: 1/64" = 1'-0"



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

June 25, 2014

John J. George
Schuyler, Roche & Crisham, P.C.
Two Prudential Plaza
180 North Stetson Avenue
Suite 3700
Chicago, IL 60601

Re: Administrative Relief request for Residential Business Planned Development No. 523, Sub-Area 7, proposed interim parking behind 900 South Clark Street

Dear Mr. George:

Please be advised that your request for a minor change to Residential Business Planned Development No. 523 ("PD 523") has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 13 of PD 523.

Your client and the owner of all of the property within Sub Area 7 of PD 523, PPF AMLI 800-888 S. Clark Street, LLC, is seeking an administrative relief to allow a vacant lot behind 900 S. Clark St., within Sub Area 7, to be used as an interim 32-car parking lot. The site is designated for townhomes and would be used for parking until the townhomes are built. An administrative relief was granted on January 30, 2007, which provided that the site was to be covered with turf until the townhouses were built. The proposed parking will be for accessory use only by guests and employees of the 900 S. Clark St. building which contains 440 dwelling units and the AMLI Lofts development currently being constructed to the north, just across W. 9th Street.

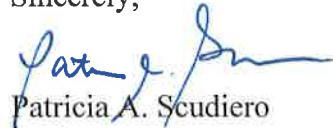
Pursuant to Statement 11a(1) of PD 523, any new interim outdoor, at-grade, off-street parking shall be located, landscaped and maintained in a manner consistent with the vehicular use area landscaping and screening provisions of the Chicago Zoning and associated regulations. The attached Off Site Parking Development Plan and Landscape Plan, both dated May 28, 2014, shall be inserted in the main file.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed interim accessory parking lot will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 523, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,



Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm

C: Mike Marmo, Erik Glass, Main file

[illegible]

Architectural site plan of the 9th Street Transit Station. The plan shows a rectangular building with multiple rooms, including a 'STREET ENTRANCE' and 'STREET ENTRANCE' (rotated). It also shows 'METRA TRACKS' and '9TH STREET'. A north arrow is present in the top right corner.

GRADING AND SOIL EROSION AND SEDIMENT CONTROL PLAN

M. P. 119 ENGINEER
 KINZLE ASSOCIATES INC.
 1111 N. Caval St. Suite 1600
 Chicago, Illinois 60606
 (312) 883-0438 F (312) 883-0448
 NOTES

[illegible]



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

February 24, 2014

Theodore J. Novak
DLA Piper LLP US
203 North LaSalle Street
Suite 1900
Chicago, IL 60601-1293

Re: Administrative Relief request for Residential Business Planned Development No. 523, as amended, Subareas III and IV, Proposed British School of Chicago at The Roosevelt Collection, South Wells Street and West 9th Street

Dear Mr. Novak:

Please be advised that your request for a minor change to Residential Business Planned Development No. 523 ("PD 523"), as amended, has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement Numbers 10 and 13 of PD 523. The proposed administrative relief relates to Sub Areas III and IV only. Sub Area III is owned by CJUF III McCaffery Roosevelt Park LLC, and Sub Area IV is owned by CJUF III McCaffery Roosevelt Residential III LLC, both of which have authorized McCaffery Interests, Inc. ("McCaffery") to seek this requested relief. An administrative relief was approved on November 4, 2013 for the proposed British School. Subsequently, it was determined that the approved changes would interfere with existing utility lines located within vacated Taylor St. Accordingly, McCaffery has redesigned the proposed school to resolve the utility issue.

McCaffery proposes to develop Sub Area III with a two-story school building, plus basement, and a ground level play field and a publically accessible rooftop open space. The November 4, 2013, administrative relief approved the building extending over the existing private driveway, resulting in a floor area addition and a rooftop open space addition. This building extension is no longer proposed, however, the current proposal does still result in an increase in the amount of rooftop open space from what was approved in the PD. The November 4, 2013 administrative relief allowed an increase in the allowable floor area ratio (FAR) within Sub Area III and a corresponding decrease in the FAR of Subarea IV. The FAR of Sub Area III was increased from 0.75 to 0.83 and the FAR of Sub Area IV was reduced from 12.50 to 12.40.

You are now requesting, on behalf of McCaffery, a decrease in Sub Area III FAR from 0.83 to 0.79 (equating to 76,782 square feet of floor area) and a corresponding increase in Sub Area IV FAR from 12.40 to 12.45 (equating to 995,519 square feet of floor area). You are also seeking to

substitute revised site and landscape plans and building elevations for Sub Area III. The following revised drawings, prepared by Antunovich Associates, Inc. and dated February 13, 2014, shall be inserted into the main file: Sub Area III Site Plan-Ground Floor Plan, Sub Area III Landscape Plan/Green Roof Plan, North and South Building Elevations, and West and East Building Elevations.

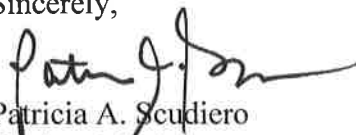
The overall FAR within the PD will not increase, nor will the maximum overall percentage of site coverage or the maximum site coverage allowed within Sub Area III. Pursuant to Statement No. 10, the transfer of floor area from one sub area to another may be approved by the Department if it meets the criteria for minor change. Also, the PD contemplates development of Sub Area IV with a residential tower and ground level pocket park. Sub Area IV is currently vacant. Although development of the residential tower has not been scheduled, the PD requires the ground level pocket park to be completed in conjunction with development of the school within Sub Area III.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed FAR transfer and design modifications will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 523, as amended, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

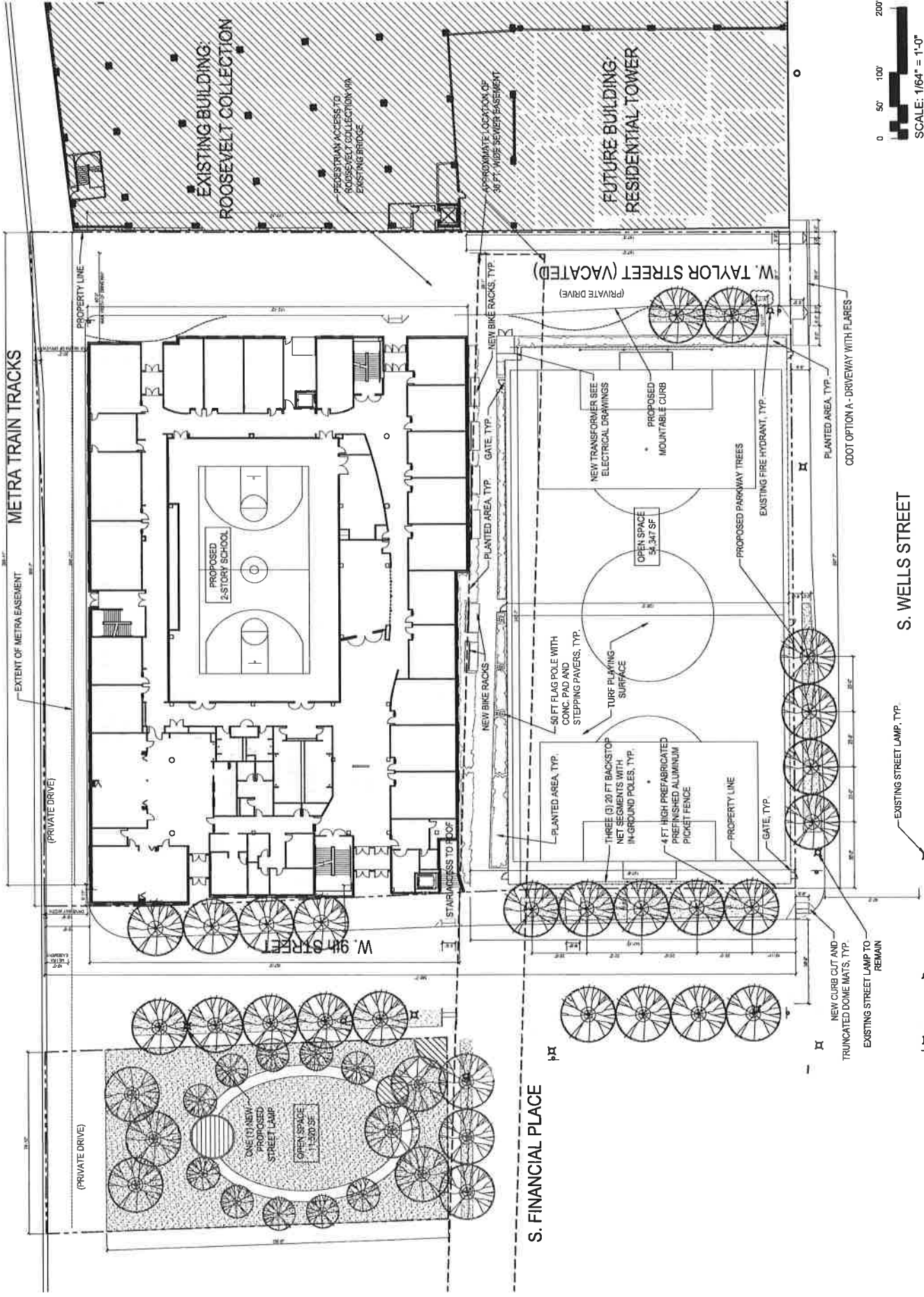
Sincerely,

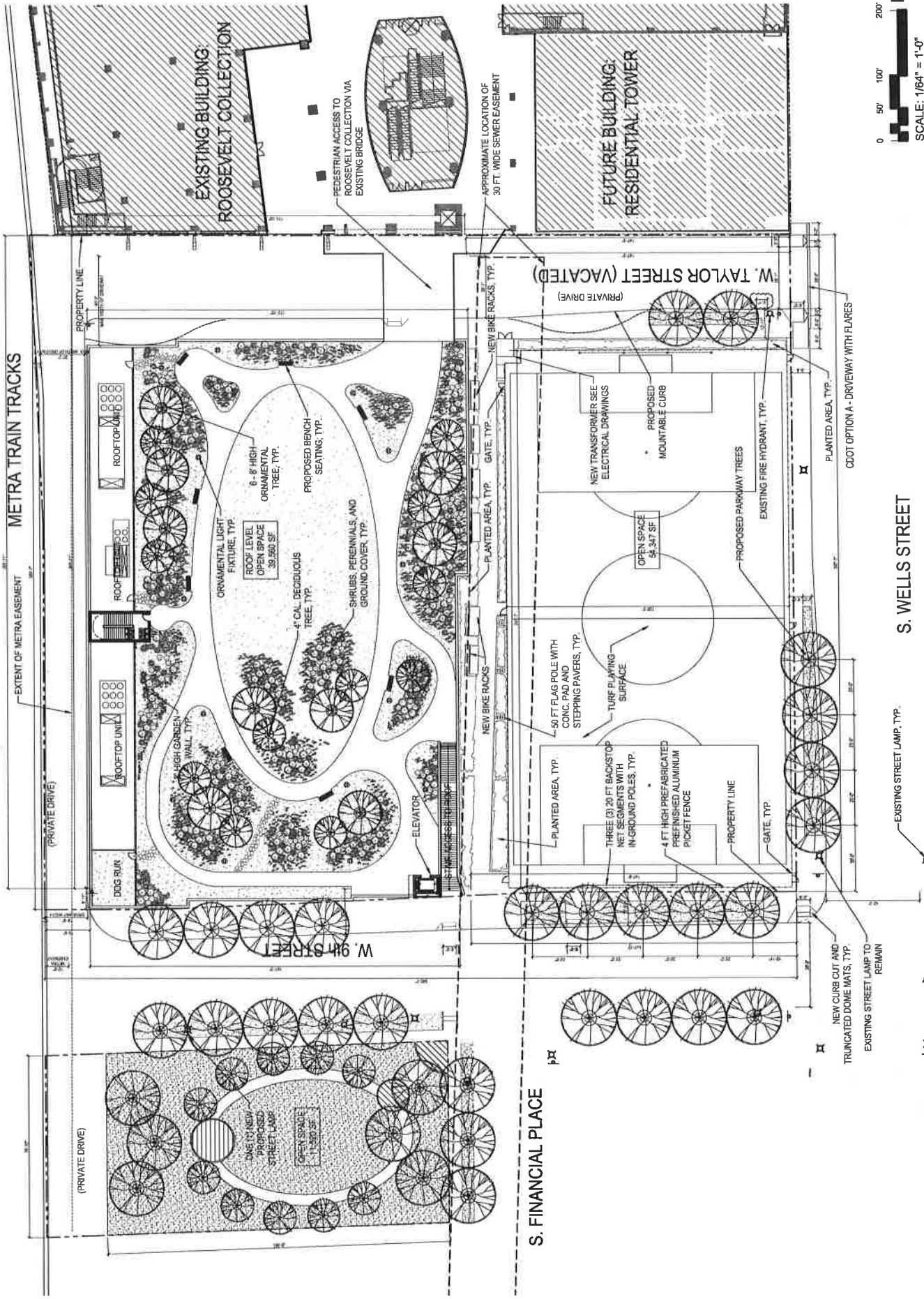


Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm

C: Mike Marmo, Erik Glass, Fernando Espinoza, Ron Daye, Main file

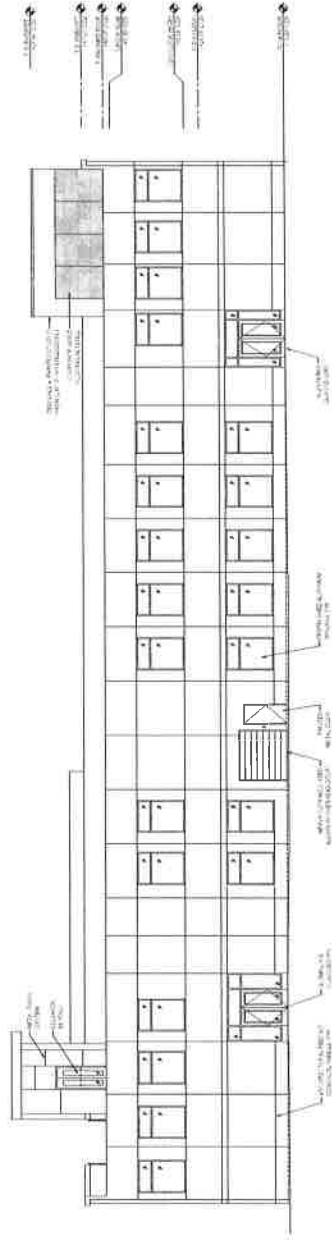




Roosevelt Collection - Planned Development # 523 Amendment Exhibits

Applicant: McCaffery Interests, Inc.
Address: 150 West Roosevelt Road, Chicago, Illinois

Sub-Area III: Landscape Plan / Green Roof Plan
Date: February 13, 2014

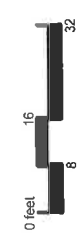
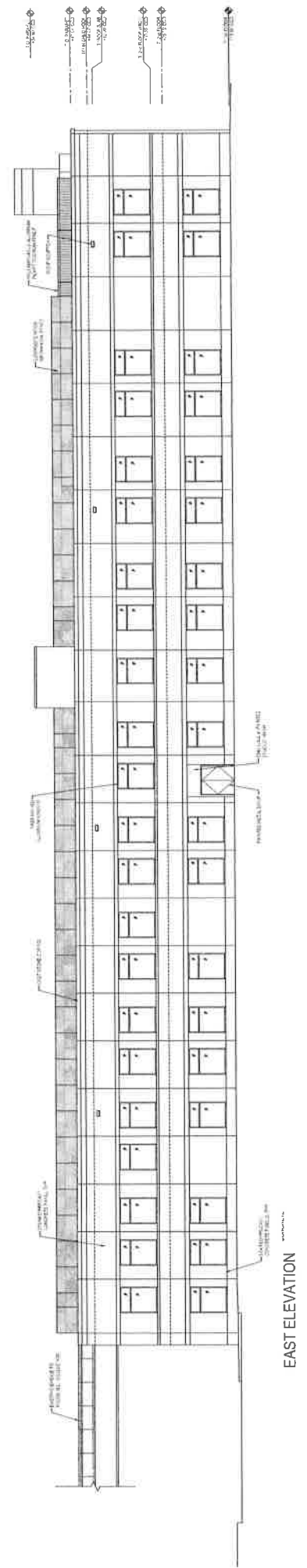
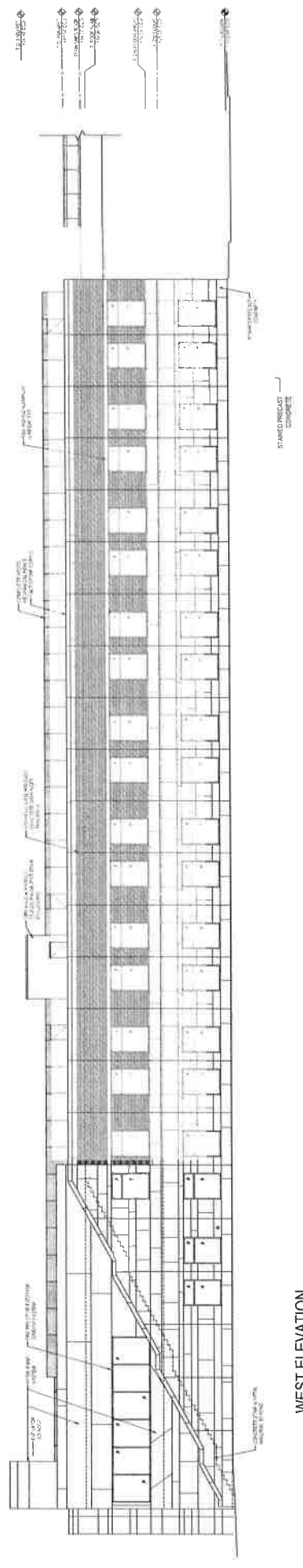


SOUTH ELEVATION



NORTH ELEVATION







DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

November 4, 2013

Theodore J. Novak
DLA Piper LLP US
203 North LaSalle Street
Suite 1900
Chicago, IL 60601-1293

Re: Administrative Relief request for Residential Business Planned Development No. 523, as amended, Subareas III and IV, Proposed British School of Chicago at The Roosevelt Collection, South Wells Street and West 9th Street

Dear Mr. Novak:

Please be advised that your request for a minor change to Residential Business Planned Development No. 523 ("PD 523"), as amended, has been considered by the Department of Housing and Economic Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement Numbers 10 and 13 of PD 523. The proposed administrative relief relates to Sub Areas III and IV only. Sub Area III is owned by CJUF III McCaffery Roosevelt Park LLC, and Sub Area IV is owned by CJUF III McCaffery Roosevelt Residential III LLC, both of which have authorized McCaffery Interests, Inc. ("McCaffery") to seek this requested relief.

McCaffery proposes to develop Sub Area III with a two-story school building, plus basement, and a ground level play field and a publically accessible rooftop open space. The second floor of the building will extend to the south over the existing private driveway, resulting in the addition of approximately 7,778 square feet of floor area to the overall building and increasing the size of the rooftop open space to 42,409 square feet. The previous plans projected up to 600 students and 90 staff, while the current plans can accommodate up to 1,100 students and 120 staff at full capacity.

You are seeking on behalf of your client to:

- Increase the allowable floor area ratio (FAR) within Sub Area III, with a corresponding decrease in the FAR of Subarea IV. The FAR of Sub Area III will be increased from 0.75 to 0.83 to accommodate the increased FAR of the proposed school building. The FAR of Sub Area IV will be reduced from 12.50 to 12.40. The following revised drawings, prepared by Antunovich Associates, Inc. and dated September 24, 2013 shall be inserted into the main file: Sub Area III Site Plan-Ground Floor Plan, Sub Area III Landscape Plan/Green Roof Plan, North and South Building Elevations, and West and

East Building Elevations. The Department of Transportation approved the revised Sub Area III Site Plan on November 4, 2013.

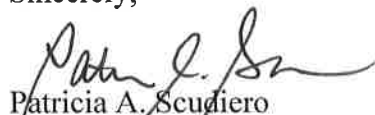
The overall FAR within the PD will not increase, nor will the maximum overall percentage of site coverage or the maximum site coverage allowed within Sub Area III. Pursuant to Statement No. 10, the transfer of floor area from one sub area to another may be approved by the Department if it meets the criteria for minor change. Also, the PD contemplates development of Sub Area IV with a residential tower and ground level pocket park. Sub Area IV is currently vacant. Although development of the residential tower has not been scheduled, the PD requires the ground level pocket park to be completed in conjunction with development of the school within Sub Area III.

With regard to your request, the Department of Housing and Economic Development has determined that allowing the proposed FAR transfer and design modifications will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 523, as amended, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

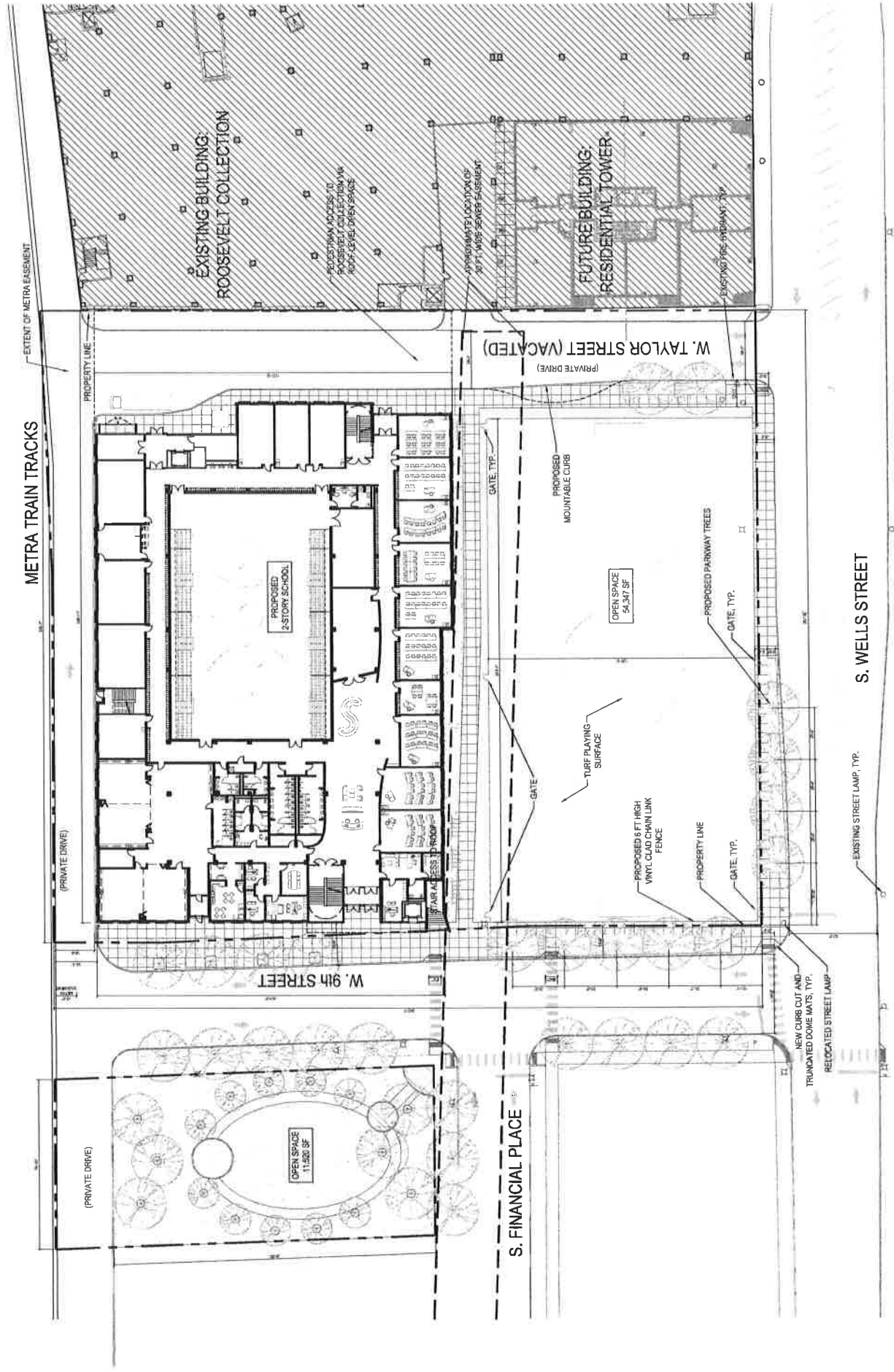
Sincerely,

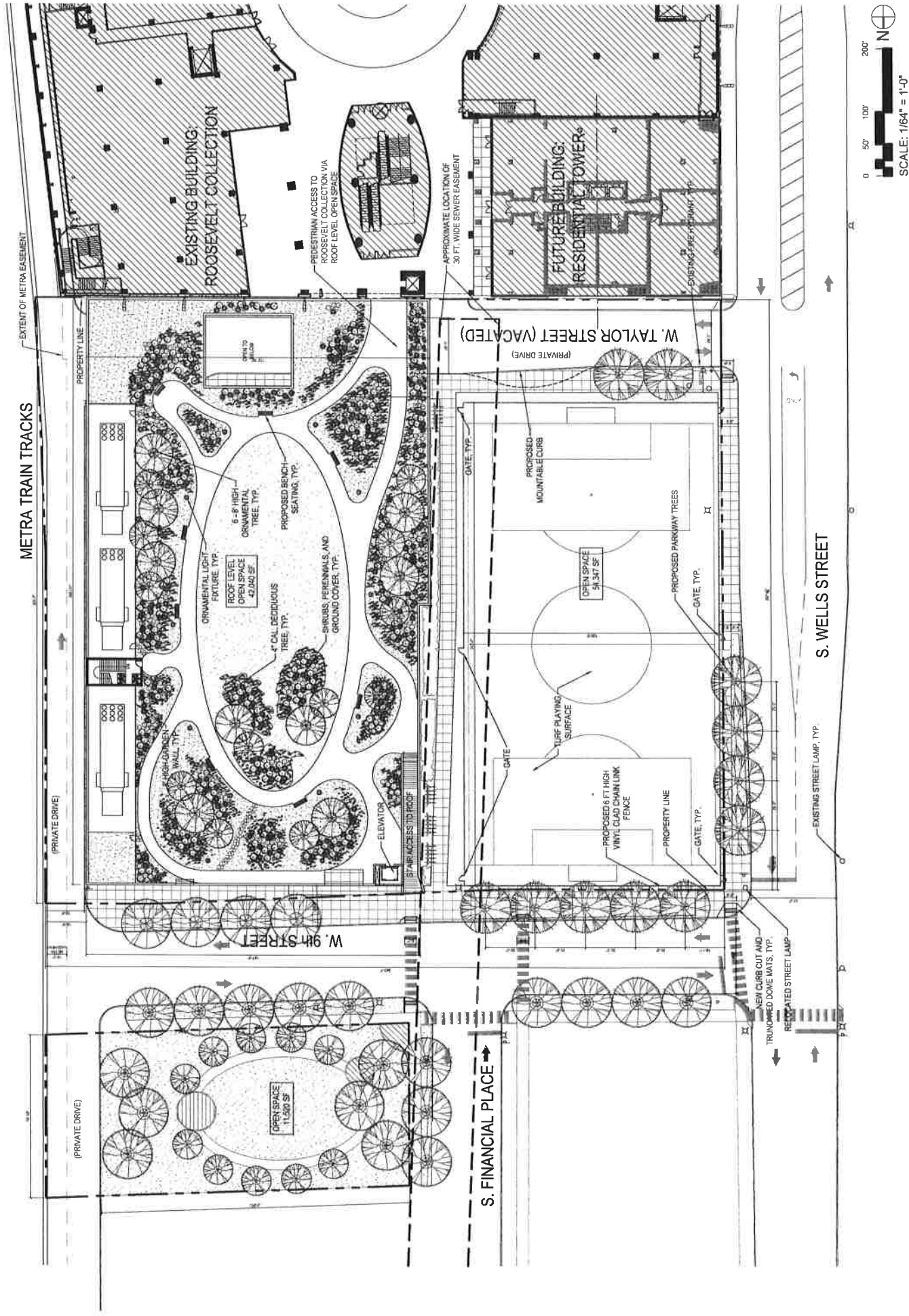


Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm

C: Mike Marmo, Erik Glass, Fernando Espinoza, Main file

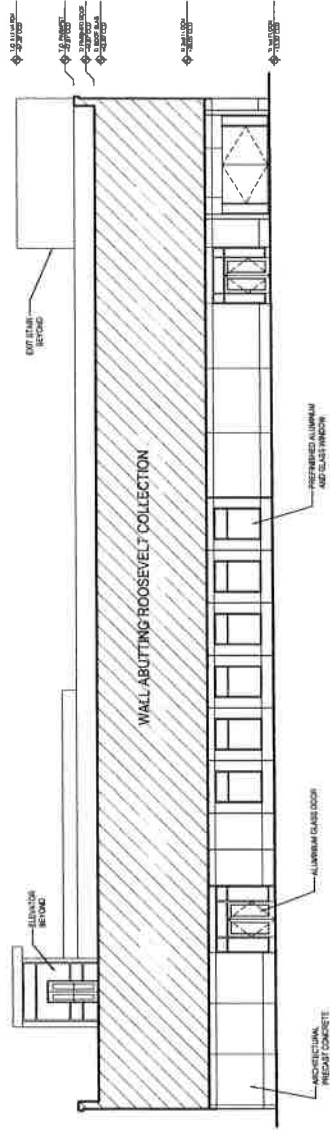




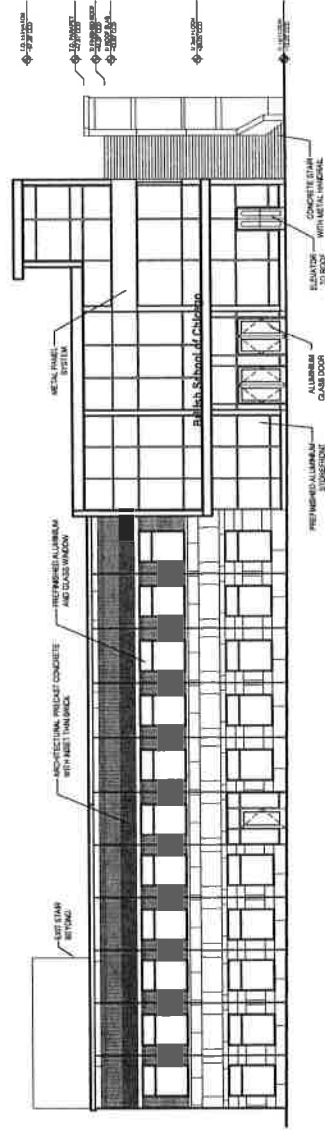
Roosevelt Collection - Planned Development # 523 Amendment Exhibits

Applicant: McCaffery Interests, Inc.
Address: 150 West Roosevelt Road, Chicago, Illinois

Sub-Area III: Landscape Plan / Green Roof Plan
Date: September 24, 2013

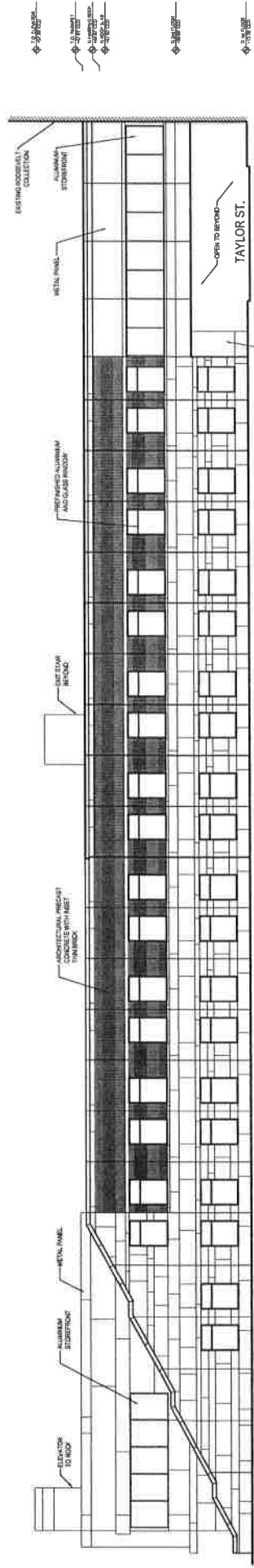


SOUTH ELEVATION

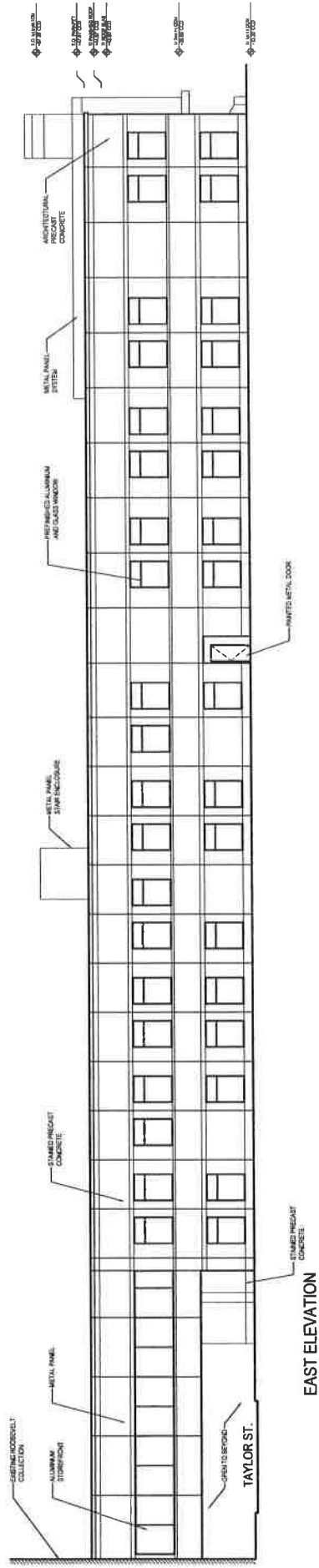


NORTH ELEVATION





WEST ELEVATION



EAST ELEVATION



17640

On motion of Alderman Solis, the said proposed substitute ordinances transmitted with the foregoing committee report were *Passed* by yeas and nays as follows:

Yeas -- Aldermen Moreno, Fioretti, Dowell, Burns, Hairston, Sawyer, Holmes, Harris, Beale, Pope, Balcer, Cárdenas, Quinn, Foulkes, Thompson, Thomas, Lane, O'Shea, Cochran, Brookins, Muñoz, Zalewski, Chandler, Solis, Maldonado, Burnett, Ervin, Graham, Reboyras, Suarez, Waguespack, Mell, Austin, Colón, Sposato, Mitts, Cullerton, Laurino, P. O'Connor, M. O'Connor, Reilly, Smith, Tunney, Arena, Cappelman, Pawar, Osterman, Moore, Silverstein -- 49.

Nays -- None.

Alderman Pope moved to reconsider the foregoing vote. The motion was lost.

Alderman Burke invoked Rule 14 of the City Council's Rules of Order and procedure disclosing that he had represented parties to these ordinances in previous and unrelated matters.

The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):

Reclassification Of Area Shown On Map No. 2-F.

(As Amended)

(Application No. 17640)

(Common Address: 900 -- 1154 S. Clark St., 100 -- 200 W. Roosevelt Rd.,

1135 -- 1136 Delano Ct., 901 -- 1001 S. Wells St., 821 S. Financial Pl.

And 901 S. LaSalle St.)

[SO2012-8204]

R BPD 523, 99

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the Residential-Business Planned Development Number 523, as amended, symbols and indications as shown on Map Number 2-F in the area bounded by:

West Polk Street; a southwesterly line (194.27 feet long) starting on the south line of West Polk Street at a point 148.54 feet east of the east line of South Financial Place and ending at a point 194.27 feet south of the south line of West Polk Street and 79 feet, more or less, west of the centerline of vacated South LaSalle Street; a line 332.69 feet, more or less, west of the west line of South Clark Street; a line 497.43 feet south of the south line of West Polk Street; South Clark Street; West Roosevelt Road; South Wells Street; the alley next north of West Taylor Street; and the alley next east of South Wells Street,

to those of Residential-Business Planned Development Number 523, as amended, which is hereby established in the area described above subject to such use and bulk regulations as are set forth in the Plan of Development attached hereto and to no others.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

Residential-Business Planned Development No. 523.

Plan Of Development Statements.

1. The area delineated herein as Residential-Business Planned Development (the "Planned Development") consists of approximately nine hundred sixty-eight thousand five hundred ninety-six (968,596) square feet (twenty-two and twenty-four hundredths (22.24) acres) of net site area which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"). McCaffery Interests, Inc. (acting on behalf of and with the authorization of CJUF III McCaffery Roosevelt Residential I LLC, CJUF III McCaffery Roosevelt Residential II LLC, CJUF III McCaffery Roosevelt Residential III LLC, CJUF III McCaffery Roosevelt Retail LLC and CJUF III McCaffery Roosevelt Park LLC being the owners of Subareas I, II, III and IV), is the "Applicant" for purposes of this amendment to the Planned Development with respect to Subareas I, II, III and IV.
2. The Applicant or, if different from the Applicant, the legal titleholders and any ground lessors, shall obtain all official reviews, approvals and permits necessary to implement the development of the Property. Any dedication or vacation of streets or alleys or easements or any adjustment of rights-of-way depicted on the Right-of-Way Adjustment Map shall require a separate submittal and approval by the City Council. Any areas to be dedicated shall be excluded and any areas to be vacated shall be included in determining the Net Site Area (as said term is defined by the Chicago Zoning Ordinance) of this Planned Development.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors.

Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single

designated control for purposes of this statement shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessors of the Property. Provided, however, that where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" or "legal titleholder" shall be deemed to refer solely to the condominium association of the owners or legal titleholders of such portions of the improvements and not to the individual unit owners therein. An agreement among property owners, the board of directors of any property owners association, or a covenant binding property owners, may designate the party or parties authorized to make application for any future amendment, modification or change with respect to all or any portion of the Property. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder.

4. This Planned Development consists of: eighteen (18) Planned Development Statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Right-of-Way Adjustment Map; a Subarea Plan; the following plans for Subarea III prepared by Antunovich Associates dated May 16, 2013: Site Plan/Ground Floor Plan, Landscape Plan/Green Roof Plan, West Building Elevation, North Building Elevation, East Building Elevation, South Building Elevation (the "Plans"); and the Administrative Approvals (defined below) set forth in Statement 17 of this Planned Development. The following minor change and site plan approval letters are hereby incorporated by reference and made part of this Planned Development (collectively, the "Administrative Approvals"):

Site Plan Approval letter to Mr. Reifman dated May 23, 2003; Minor Change and Zoning Clarification letter to Mr. David Reifman dated May 22, 2003; Site Plan Approval to Mr. Patrick Thompson dated August 9, 2007; Administrative Relief request for Subarea V to Mr. Forrest E. Russell dated June 25, 2008; Minor Change to Site Plan Approval letter to Mr. Theodore Novak dated September 6, 2011; Site Plan Approval letter to Mr. Theodore Novak dated November 16, 2011.

5. The Planned Development is applicable to the area delineated herein and these and no other controls shall apply. References to the Chicago Zoning Ordinance and other provisions of the Municipal Code shall mean those provisions in effect as of the date of this Planned Development. The Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a Planned Development.

6. The area within the Planned Development boundaries is divided into eight (8) subareas as indicated on the Subarea Plan. The following uses shall be permitted within all subareas except Subarea III: dwelling units, business and professional offices, hotels and motels, retail and commercial uses, any use permitted in the DX-5 Downtown Mixed-Use zoning district (except auto service stations and motor vehicle service/repair garages), railroads, railroad rights-of-way, open space uses, playgrounds (including without limitation recreational facilities relating to day care establishments), golf courses, tourist homes and lodging houses, hospitals, housing and assisted living facilities for elderly persons, indoor and outdoor athletic and recreational facilities, indoor and outdoor entertainment related uses, accessory and non-accessory off-street parking, restaurants and taverns including live entertainment and dancing, telecommunication antennae and facilities, theaters (including cinemas), health clubs, day care centers, colleges, universities, schools of any type, churches, libraries, home occupations, philanthropic and eleemosynary uses and accessory uses.

The following uses shall be permitted in Subarea III: School, publicly available open space, park uses and facilities, playgrounds, outdoor athletic and recreational uses and accessory uses related to the school use.

7. Identification signs and on-site business and business identification signs and temporary signs, such as construction marketing signs, are permitted upon the Property subject to the review and approval of the Department of Housing and Economic Development (the "Department"). Off-Premises signs are prohibited within the boundary of the Planned Development.
8. Any private roadway or any other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation and in compliance with the Municipal Code of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago. Vehicular ingress and egress shall be subject to the review and approval by the Chicago Department of Transportation and by the Department. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. A continuous sidewalk shall be provided along all private streets (except along the Metra side of a public or private street or drive) as necessary to assure pedestrian access between all development located along said private streets and the public way.
9. The height of each building and free-standing structure located upon the Property and any appurtenances attached thereto, shall be subject to the Bulk Regulations and Data Table as well as any height limitations established by the Federal Aviation Administration. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply.

10. For purposes of maximum floor area ratio ("F.A.R.") calculations, the definition contained in the Chicago Zoning Ordinance shall apply. Transfer of floor area from one subarea to another may be approved by the Department if it meets the criteria for minor changes set forth in Statement Number 12 hereof.
11. The improvements on the Property shall be designed, constructed and maintained in general conformance with the plans and exhibits set forth in Statement Number 4.

In addition, the development of the Property shall be subject to the following:

- a. Parking. Off-street parking shall be provided upon the Property in accordance with the provisions of this statement and the Bulk Regulations and Data Table and shall also be subject to the standards set forth below:

- (1) Interim outdoor, at-grade, off-street parking existing on the Property on the date of this amended Planned Development may be maintained as is for a period not to exceed ten (10) years; provided, however, that the Commissioner of the Department may authorize the continuation of such interim parking for additional periods where deemed appropriate. Any new interim outdoor, at-grade, off-street parking shall be located, landscaped and maintained in a manner consistent with the vehicular use area landscaping and screening provisions of the Chicago Zoning Ordinance and associated regulations.
- (2) Permanent, at-grade, off-street parking that is not enclosed in a structure and which is visible from a public right-of-way is permitted subject to the following limitations. Such parking shall be set back at least twenty (20) feet from any adjacent public right-of-way. Such setback shall be bermed to a height of at least two (2) feet above the grade of the adjacent sidewalk and shall be landscaped with one (1) two and one-half (2½) inch caliper tree for every twenty-five (25) feet of frontage along the public way, shrubs and ground cover to provide a continuous screen of at least two and one-half (2½) feet in height total, including the berm, so as to substantially screen the parking lot from view from the adjacent right-of-way. In addition to appropriate landscaping, a decorative fence a minimum of four (4) feet high shall be constructed along the top of the berm to further enhance the screening of the adjacent parking. In lieu of the screening described above, the Department may approve an alternative treatment including, but not limited to, vine-covered fences or trellises, structural walls or screens upon a finding that such alternative treatment would:
 - (a) provide an effective visual screen of the parking areas and parked automobiles;
 - (b) promote the physical definition of a continuous street wall;

- (c) provide a visual effect which promotes and enhances the vehicular and pedestrian experience through the use of quality architectural and urban design; and
- (d) be appropriately designed and maintained to satisfy applicable building and/or landscape industry standards.

Notwithstanding the foregoing, the provisions of this Statement 10.a(2) shall not apply to parallel parking provided on public and private streets and drives on the Property.

- (3) Off-street parking required to serve uses developed on the Property shall be located on the same side of the Metra tracks as the use served. For residential uses, parking shall be located within six hundred (600) feet walking distance of the residential use served. Parking required to serve non-residential uses shall be located within one thousand five hundred (1,500) feet walking distance of the non-residential use served.
- (4) The Applicant, or, if different from the Applicant, the legal titleholders and any ground lessors, is encouraged to conceal parking structures either by fronting them with habitable space or by enclosing the openings with glazing. Where the exterior walls of any parking structure face or will be substantially visible from a public right-of-way, such walls shall be designed and detailed to be similar in appearance to habitable spaces above, adjacent or in the vicinity of the garage. Such similar design elements shall include, but not be limited to: materials, size, shape, number, and pattern of window openings, cornices, moldings, reveals, sills and other decorative surface treatments. Glazing at window openings is strongly encouraged. Window frames, metal screens or other decorative screening devices should be considered where glazing is not utilized. Ramps, cars and headlights shall be entirely screened and ceiling lights shall be substantially screened from view from pedestrians on the public way and from adjacent residential units.

Where parking structures are located in a building with one hundred (100) or more feet of frontage which fronts on South Clark Street, South Wells Street or West Roosevelt Road, a minimum of twenty percent (20%) of the linear distance of said frontage shall be occupied by active uses. Active uses shall include lobbies, entry areas and passageways, elevator and stair areas, retail, services, restaurants, amusement establishments and institutional or cultural uses. A minimum of seventy-five percent (75%) of the linear distance of said required active use shall be glazed with clear glazing between two (2) feet, six (6) inches and eight (8) feet, zero (0) inches above the sidewalk level. Access to parking structures may be located along any public or private street.

The following design features are strongly encouraged wherever feasible: setback of parking structures above ground floor retail with rooftop planting terraces.

- b. Loading. Off-street loading shall be provided upon the Property in accordance with this statement and with the Bulk Regulations and Data Table. All loading required by this Planned Development shall be located proximate to the building or use served. No unenclosed loading areas shall be located facing South Wells Street or South Clark Street. The view of loading areas from other public streets shall be minimized through the use of landscaping and fencing.
- c. Curb Cuts. Private roadways, driveways, entrances to off-street parking and to loading docks, openings for vehicular drop-offs and all other facilities requiring curb cuts shall be located to minimize conflicts with on-street traffic and with pedestrian circulation. Any required street tree removed or made infeasible due to location of a curb cut for a loading dock shall be provided elsewhere upon the Property. No curb cut shall be located within fifty (50) feet of any other curb cut. All curb cuts shall be constructed in accordance with the standards of the City of Chicago. No more than five (5) curb cuts for roadways and drives, parking and loading entrances shall be located along South Wells Street. No more than two (2) curb cuts for roadways shall be located along South Clark Street. Vehicular drop-off areas along South Clark Street shall be subject to CDOT approval.
- d. Landscaping.
 - (1) Parkway trees shall be installed and maintained in the public right-of-way adjacent to any development of the Property in accordance with the parkway tree planting provisions of the Chicago Zoning Ordinance and associated regulations unless approved by the Commissioner of the Department of Planning and Development in accordance with Statement 12. Open areas of the Property not otherwise devoted to permitted buildings, parking areas or pedestrian/vehicular circulation areas shall be landscaped to enhance the appearance of the development from the public street, to screen unattractive uses from the street and to provide buffers between adjacent uses. In connection with residential uses, adequate and appropriately designed open space shall be provided in the form of gardens, landscaped areas, children's play lots, playgrounds and above-grade open space facilities (such as roof decks). Landscaping shall consist of grass, ground cover, shrubs, trees or other living plant materials. All landscaping shall be properly maintained at all times. Except with respect to street trees located in Subarea III, which may be located in grates, street trees shall be located in continuous raised planters. The areas along and adjacent to the Metra embankment: (i) shall be fenced; and (ii) notwithstanding the second sentence of this subsection d.(i) above, shall not be required to be landscaped with trees or other landscaping features that would obstruct, or otherwise restrict the

configuration of, permitted buildings, parking or loading areas, private drives or would be inconsistent with the Applicant's rights and obligations in the ten (10) foot wide Metra maintenance easement area.

- (2) Prior to development, open areas of the Property shall be maintained with grass; provided, however, that the following areas shall not be subject to this requirement: existing parking areas, roadways and other paved areas; areas occupied by existing foundations or other impediments to the growth of grass; areas occupied by the Metra facilities; existing public rights-of-way; and areas subject to covenants, easements or other restrictions inconsistent with the maintenance of grass. The initial planting of the grass where required shall be completed no later than one (1) year following adoption of this amended Planned Development.
- e. Building Design And Exterior. The exterior walls of any structure, including walls and fences, facing or visible from the public way shall be designed and constructed to avoid a monotonous and blank appearance through the use of texture and detail, windows, openings, projections, recesses, offsets, variations to the parapet wall, variations in type or color of materials or other architectural devices. The following design features are strongly encouraged wherever feasible: awnings; retail, offices uses, lobby space or similar active uses at ground level; and cornice lines and other architectural devices to enhance pedestrian scale.
- f. Roosevelt Road Building Orientation And Entrances. Except for improvements for which site plan approval has been issued as of the effective date hereof, all buildings constructed adjacent to Roosevelt Road shall rise a minimum of one (1) story above West Roosevelt Road, shall include pedestrian entrance from West Roosevelt Road and shall otherwise be designed to promote an active pedestrian street level, avoiding large expanses of blank facades, and including transparent and/or display windows. Any such building with frontage along both West Roosevelt Road and South Wells Street shall, in addition to the entrance from the plaza area of the Property at the West Roosevelt Road grade level, provide an entrance at grade level from South Wells Street. One vehicle entrance and exit drive shall be permitted along West Roosevelt Road, the location and final geometry of which shall be subject to CDOT approval. A pedestrian transition from the West Roosevelt Road level to the South Wells Street level shall be included within any such building.
- g. Fencing. Fencing materials facing all public streets and common open spaces shall be at least seventy percent (70%) transparent and no more than five (5) feet in height; provided, however, that the transparency limitations shall not apply to fencing materials within Subarea III and provided, further, that the maximum height of fencing materials within Subarea III shall be six (6) feet, all as shown on the Plans.

- h. Structures Along South Wells Street. Structures that front along South Wells Street shall be located and designed to promote a pedestrian character on South Wells Street including, to the extent practical and/or feasible, avoiding large expanses of blank facades by incorporating front entries, windows and similar features into the South Wells Street facades of such structures. This requirement is in addition to the provisions of subsections a. through f. of this Statement Number 10.
- i. Open Space.
 - (1) The Building Separation Zones depicted on the Subarea Plan shall be landscaped and improved in connection with adjacent development to provide appropriate pedestrian and vehicular access to adjacent development, streets and private drives. Such Building Separation Zones shall be open in appearance and shall include no buildings, fences or similar obstructions. Other than areas within the zones which are improved with plazas, roadways, walks, pedestrian furnishings, lighting, improvements typically associated with a right-of-way (including adjacent sidewalks, parkways and other improvements) and related items, the zones shall be landscaped with plant material and other landscaping materials.
 - (2) Open space provided upon the Property shall be entitled to credit against otherwise applicable Open Space Impact Fees, if such open space satisfies the provisions of the Open Space Impact Fee Ordinance, Chapter 16-18 of the Chicago Municipal Code (the "Open Space Ordinance") and the provisions of the Open Space Impact Fee Administrative Regulations and Procedures (the "Open Space Regulations").
 - (3) The Applicant or its successors or assignees shall construct and provide ongoing maintenance and management of the proposed open spaces within Subarea III and IV as designated on the Plans. The open space must be clearly lit and not restrict public access from the hours between 9:00 A.M. to 9:00 P.M. Signage, as approved by the Department of Housing and Economic Development, shall be placed at all open space entries indicating the park is open to residents of the Planned Development and the general public, free of charge. The Applicant, its tenants and successors and assigns shall provide sufficient liability insurance coverage necessary for the operation of the open space for public use. The Applicant will post use and availability of the athletic fields for the public when not utilized by the school.
 - (4) Substantial completion of the following improvements within Subarea III shall be a condition of issuance to a certificate of occupancy for the proposed building in Subarea III: (i) the ground level fields as shown on the Plans; and (ii) structural components, light fixtures, hardscape

improvements, irrigation systems, sod and trees shall be installed within the rooftop open space areas shown on the Plans, and the rooftop open space shall be open to the public. Seasonal plantings shall be completed as soon as practically possible thereafter, subject to favorable weather conditions and availability of seasonal planting materials.

Substantial completion of the Subarea IV open space area, consisting of grading and installation of sod and/or seeding, light fixtures, and hardscape improvements, as per plans dated May 16, 2013, shall be completed prior to, and as a condition of, issuance of a certificate of occupancy for the proposed building in Subarea III.

The letter of understanding dated May 19, 2006 by and between the former Subarea III owner and the Commissioner of the Department is superseded as between the Applicant and the Department by this amended Planned Development.

- j. Particular Uses. Freestanding telecommunications towers, because of their unique characteristics, shall be subject to additional review by the Department to establish that the impact of such use at a particular location is not significantly adverse to public health, safety or welfare.
- k. Public And Quasi-Public Improvements. Subject to Statement 10(1) below, prior to occupancy of any building or use of the Property, improvements necessary to serve or accommodate said building or use shall be in place and available for use. Said improvements shall be designed, constructed and installed in accordance with applicable City standards, laws and regulations subject to the approval of the appropriate City departments and agencies, as required, as well as in conformance with applicable state and federal standards, regulations and laws. Improvements necessary to serve uses or buildings on the Property are the following: (i) the public roadway improvements depicted on the Plans (including pavement, required turn lanes, curbs and gutters, traffic signals and sidewalks); (ii) the utilities necessary to provide potable water, sewer facilities, electric, gas, telephone and other private utility facilities and services to the Property; and (iii) the streetscape improvements (including sidewalks, streetlights and street trees) depicted on the Plans or other plans approved by the Department pursuant to Statement 11, as applicable.
- l. Schedule Of Public And Quasi-Public Improvements. The following specific improvements shall be completed within the time periods described below. A "Development Parcel" means that portion of the Property which is the subject of an application for Site Plan approval as described by Statement Number 11 of this Planned Development:
 - (1) New construction of, or improvements to, South Wells Street were required to be completed no later than tenant or residential occupancy

(i.e., opening of business as opposed to initial certificate of occupancy) of the first principal structure constructed upon any portion of Subareas I and II. This improvement has been completed in fulfillment of this prior obligation.

- (2) The new construction of, or improvements to, the West 9th Street right-of-way between South Financial Place and the Matra railroad abutment, as shown on the Plans dated May 16, 2013, no later than tenant occupancy of the structure constructed upon Subarea III.
- (3) Required landscape and street scape improvements shall, for and to the extent such improvements are contiguous to a Development Parcel, be completed no later than twelve (12) months following the later to occur of: (a) tenant or residential occupancy of the last principal structure constructed upon said Development Parcel, or (b) the City's substantial completion of the construction of South Wells Street between West Polk Street and West 18th Street and a West 9th Street underpass of the Matra railroad tracks between South Wells Street and South Clark Street. Said landscape and streetscape improvements shall include both sides of any public roadway contiguous to said Development Parcel where both sides are located within the boundaries of this Planned Development.

12. Prior to issuance by the Department of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance ("Part II Approval") for any development of the Property, a Site Plan for proposed development shall be submitted to the Department for approval by the Commissioner of the Department of a site plan for such development ("Site Plan Approval"). Site Plan Approval is intended to assure that specific development proposals conform with this Planned Development and to assist the City in monitoring ongoing development. A Site Plan may be submitted for all or any part of the Property. Such Site Plan need only include the area within the Development Parcel, and required improvements described in Statement Number 10 above, for which approval is then being sought. No Part II Approval for development with a Development Parcel upon the Property shall be granted until an applicable Site Plan has been approved.

Following approval of a Site Plan by the Commissioner of the Department, the Site Plan shall be kept on permanent file with the Department and shall be deemed to be an integral part of this Planned Development.

After approval of a Site Plan by the Commissioner of the Department, the approved Site Plan may be changed or modified pursuant to the provisions of Statement Number 12 of this Planned Development.

A Site Plan shall, at a minimum, provide the following information with respect to the proposed improvements within the boundaries of a Development Parcel and including

any improvements required by this Planned Development not located within the Development Parcel:

- a. building elevations;
- b. footprint of the improvements;
- c. preliminary landscaping plan;
- d. information as necessary to demonstrate compliance with applicable City storm water management requirements;
- e. pedestrian circulation;
- f. preliminary cross-sections of the improvements;
- g. statistical information applicable to the Development Parcel including floor area and floor area ratio, uses to be established, building heights and setbacks; and
- h. traffic impact analysis, if required by CDOT.

A Site Plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of the Planned Development.

13. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department upon the request of the Applicant and after a determination by the Commissioner of the Department that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated herein. Such modifications include, but are not limited to, those specifically authorized by the other provisions of this Planned Development. Any such modification shall be deemed a minor change in the Planned Development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance.
14. It is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. All applications for Site Plan Approval shall conform to the requirements of the City's Building Green/Green Roof Policy Matrix as it exists at the time of application or any City ordinance that may supersede the Building Green/Green Roof Policy Matrix.
15. It is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("MOPD") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance until the MOPD has approved detailed construction drawings for each building or improvement.

16. Unless substantial construction has commenced on the improvements in Subarea III as contemplated by the Plans within six (6) years of the effective date of this amended Planned Development (subject to extension as provided in the Chicago Zoning Ordinance), this amended Planned Development automatically revert to the Residential Planned Development Number 523, as amended December 13, 2006.
17. The Applicant acknowledges that the operation of a children's day care facility may be a desirable component of a residential community. Accordingly, the Applicant, in the course of marketing retail space within Subareas I and II to potential tenants, shall consider in good faith any offer made by a reputable operator of day care facilities to rent available retail space within said subareas for the purpose of operating a day care facility. After considering such an offer including, without limitation, the suitability of the space for a day care facility, the creditworthiness of the offer or, and the financial terms of the offer, the Applicant may, acting in good faith, accept, reject or counter such an offer exercising its sole discretion. "Suitability of the space for a day care facility" includes, without limitation, space located on the ground floor in proximity to outdoor landscaped open space.
18. The applicant will participate in City sponsored discussions, held from time to time, regarding the feasibility of properties that are located in the vicinity of the intersection of South Clark Street and West Roosevelt Road sharing parking areas with customers of retail businesses located proximate to said intersection.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary Map and Property Line Map; Subarea Map; Public Right-of-Way Adjustment Map; Subarea III -- Site Plan -- Ground Floor Plan; Subarea III -- Landscape Plan -- Greenhood Plan; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 55468 through 55476 of this *Journal*.]

Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

Residential-Business Planned Development No. 523.

Bulk Regulations And Data Table.

| | |
|--|-------------------------------------|
| Approximate Gross Site Area: | 1,159,737 square feet (26.62 acres) |
| Approximate Area to Remain in Public Right-of-Way: | 191,141 square feet (4.39 acres) |
| Net Site Area: | 968,596 square feet (22.24 acres) |

Overall Property:

Maximum Overall Floor Area Ratio: 5.5

Maximum Overall Percentage of
Site Coverage: 76.30%⁽¹⁾

Maximum Building Height: 380 feet, except as follows:

- (i) in that Low Height Zone depicted on subarea exhibit, the maximum height shall be as follows:

adjacent to Clark Street:

15 feet or closer to Clark Street
right-of-way: 55 feet

more than 15 feet from Clark
Street right-of-way: 120 feet

- (ii) with respect to the residential tower shown on the Site Plan on Subarea II, the maximum height shall be 500 feet.

- (iii) with respect to any residential development within Subarea IV, the maximum height shall be 425 feet, subject to Site Plan Approval as required by Statement 11 and Administrative Relief request with a formal presentation to Plan Commission Prior to the granting of any Part II Approval.

Maximum Overall Number of
Dwelling Units: 3,614

Minimum Width of Building Separation
Zone (depicted on Subarea Exhibit):

⁽¹⁾ Includes the Subarea III building with accessible rooftop open space. Site coverage may be exceeded if the criteria for minor changes in Statement 12 are satisfied.

| | |
|---|--|
| South Zone: | 66 feet |
| Middle Zone: | 40 feet |
| Minimum Distance between Front or Rear Walls of Townhouses: | In accord with DX-5 requirements |
| Minimum Streetscape Dimensions: | |
| Between Face of Building and the Curb of the Adjacent Public Street or Private Drive: | 16 feet (except along Roosevelt Road where buildings may abut the property line; along private and interior drives, which shall be six feet; and along Clark Street which shall be 20 feet) ⁽²⁾ |
| Sidewalks Along Public Street or Private Drive: | 6 feet (but not required along the Metra tracks) |
| Parkway Planting Strip Adjacent to Sidewalk: | 5 feet except as depicted on an approved Site Plan (but not required along the Metra tracks) |
| Carriage Walk Adjacent to Curb: | 1.5 feet (but not required along the Metra tracks) |
| Minimum Number of Parking Spaces for Residential, Office and Retail Uses ⁽³⁾ : | |
| Residential Uses: | 1 per dwelling unit for first 50 dwelling units per subarea; 0.55 per dwelling unit for each additional dwelling unit per subarea |

⁽²⁾ Balconies, terraces, stairs, window bays and other such appurtenances may extend into this setback area, but not over sidewalk or planting strip areas.

⁽³⁾ Individual development sites may take the benefit of parking reductions available under Section 17-10-0102 of the Chicago Zoning Ordinance including, without limitation, reductions for proximity to public transit and small dwelling units, subject to the approval of the Commissioner.

| | |
|--|---|
| Office Uses: | 1.8 per 1,000 square feet |
| Retail Uses: | 0.4 per 1,000 square feet for 25,000 square feet and under per subarea; 2.5 per 1,000 square feet over 25,000 square feet per subarea |
| Minimum Number of Parking Spaces for Other Permitted Uses: | As required in DX-5 zoning district |
| Minimum Number of Loading Berths: | As required in DX-5 zoning district |
| Maximum Office Floor Area: | |
| Subareas I, II and IV: | 2,500,000 square feet aggregate |
| Subareas V, VI and VII: | 350,000 square feet aggregate ⁽⁴⁾ |

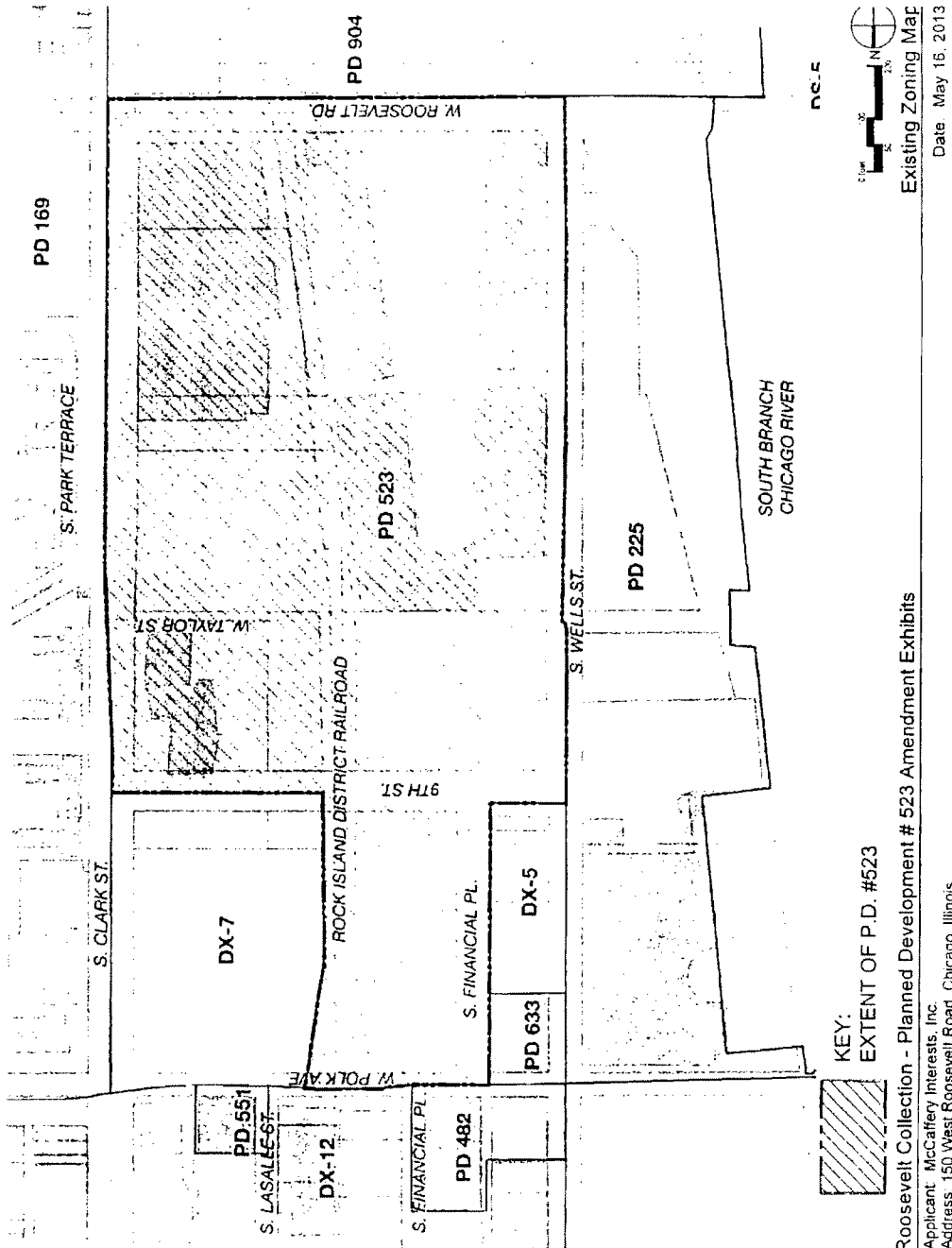
Subarea Bulk And Density Standards

| Subarea | Net Site Area | Coverage | Maximum Number Of Dwelling Units | Maximum Floor Area Ratio |
|--------------|---------------|----------|--|--------------------------|
| Subarea I | 228,036 | 100% | 1,500 (aggregate of Subareas I, II, and IV) | 5.51 |
| Subarea II | 129,082 | 100% | | 5.51 |
| Subarea III | 97,177 | 55% | | 0.75 |
| Subarea IV | 79,971 | 86% | | 12.50 |
| Subarea V | 164,922 | 73% | 824 | 6.39 |
| Subarea VI | 109,422 | 66% | 600 | 6.39 |
| Subarea VII | 114,099 | 68% | 690 | 6.39 |
| Subarea VIII | 45,867 | 0% | 0 | 0 ⁽⁵⁾ |
| Totals: | 968,596 | 76.30% | 3,614 | 5.50 |

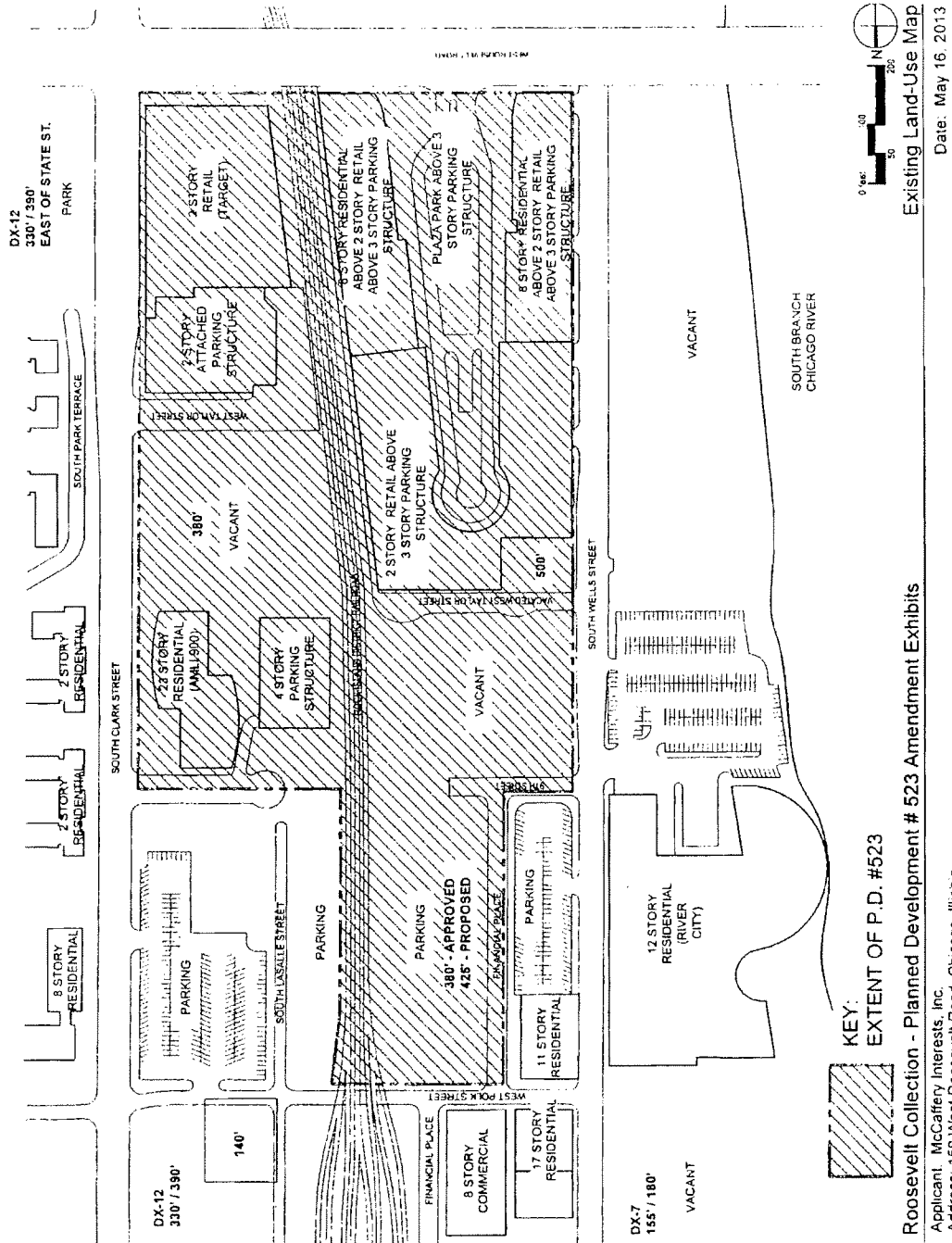
⁽⁴⁾ Shall be increased to one million seven hundred fifty thousand (1,750,000) square feet if Clark Street is widened to six lanes between Polk Street and Roosevelt Road; shall be increased to two million (2,000,000) square feet if Clark Street is widened to six lanes between Polk Street and Roosevelt Road and either a Roosevelt Road/Wells Street ramp connection or a Wells Street/Wentworth connector is built.

⁽⁵⁾ Except for railroad and railroad right-of-way uses.

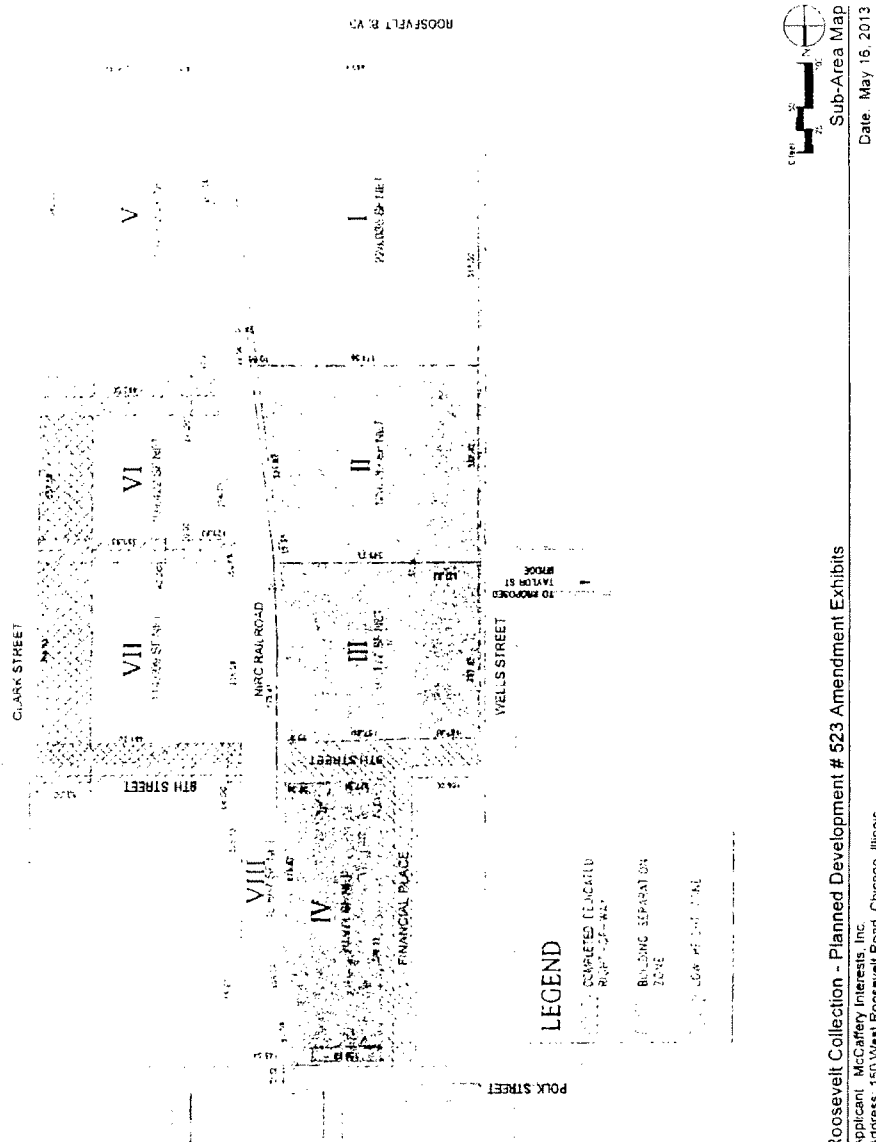
Existing Zoning Map.



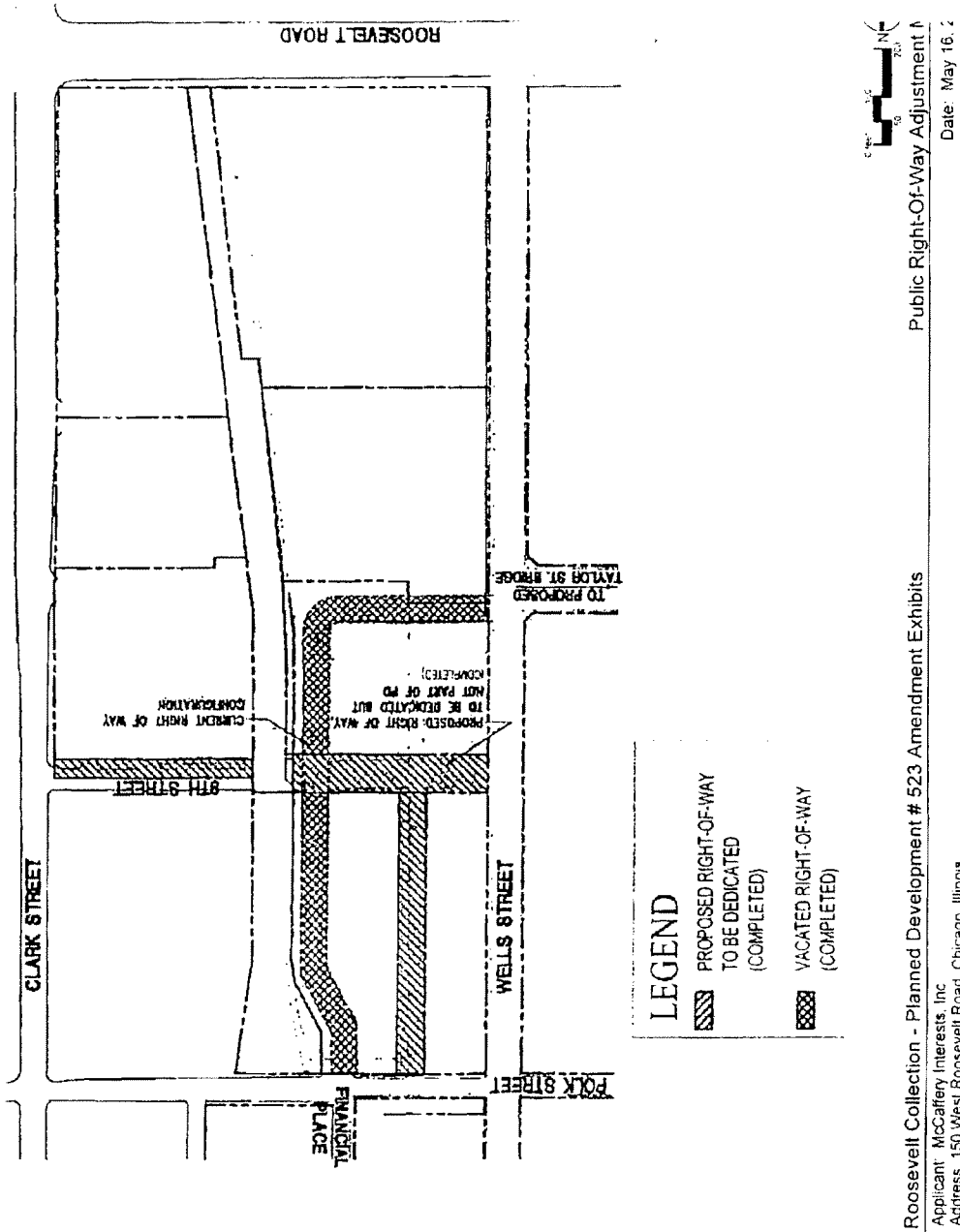
Existing Land Use Map.



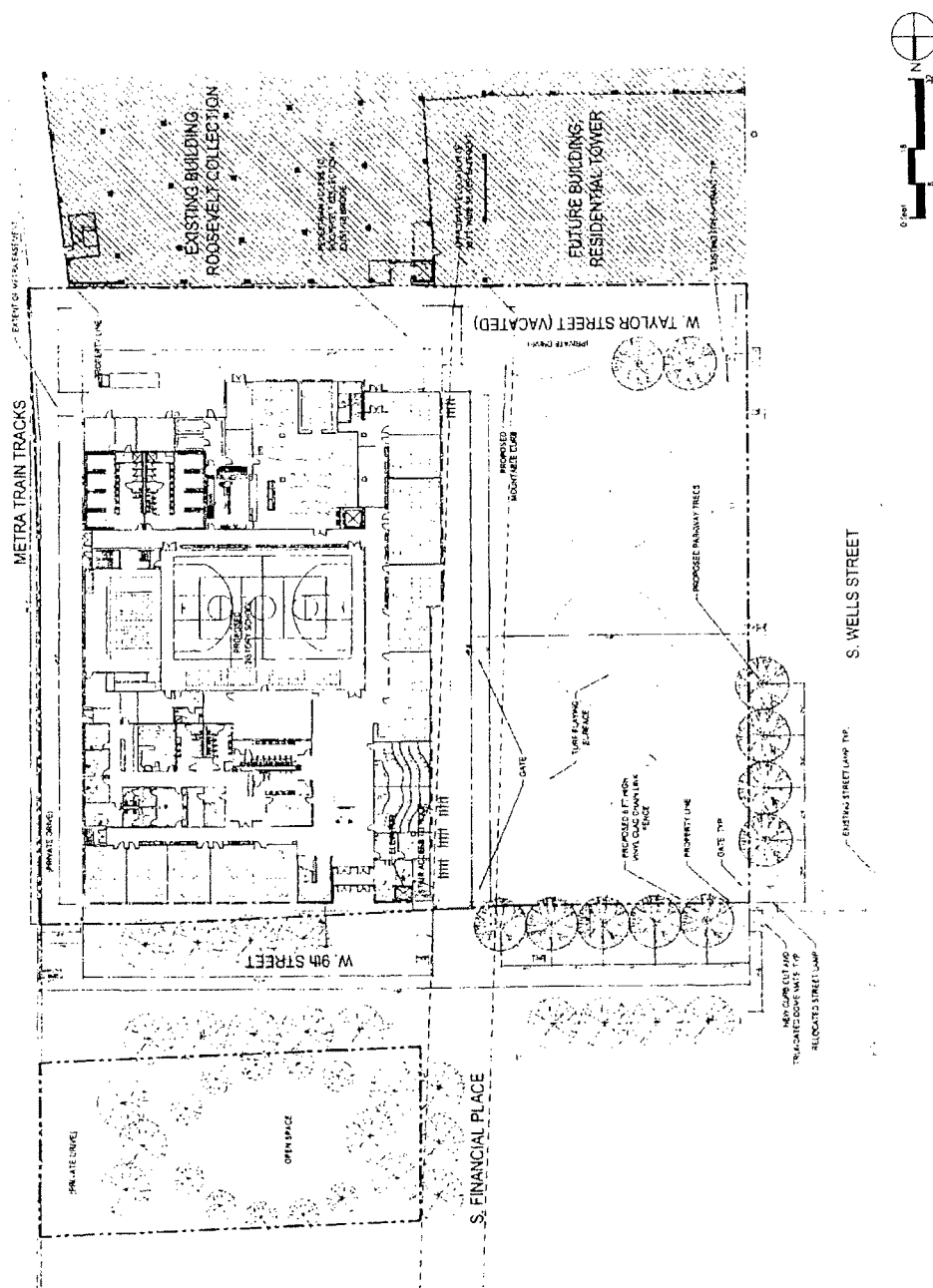
Subarea Map.



Public Right-Of-Way Adjustment Map.



Subarea III -- Site Plan -- Ground Floor Plan.



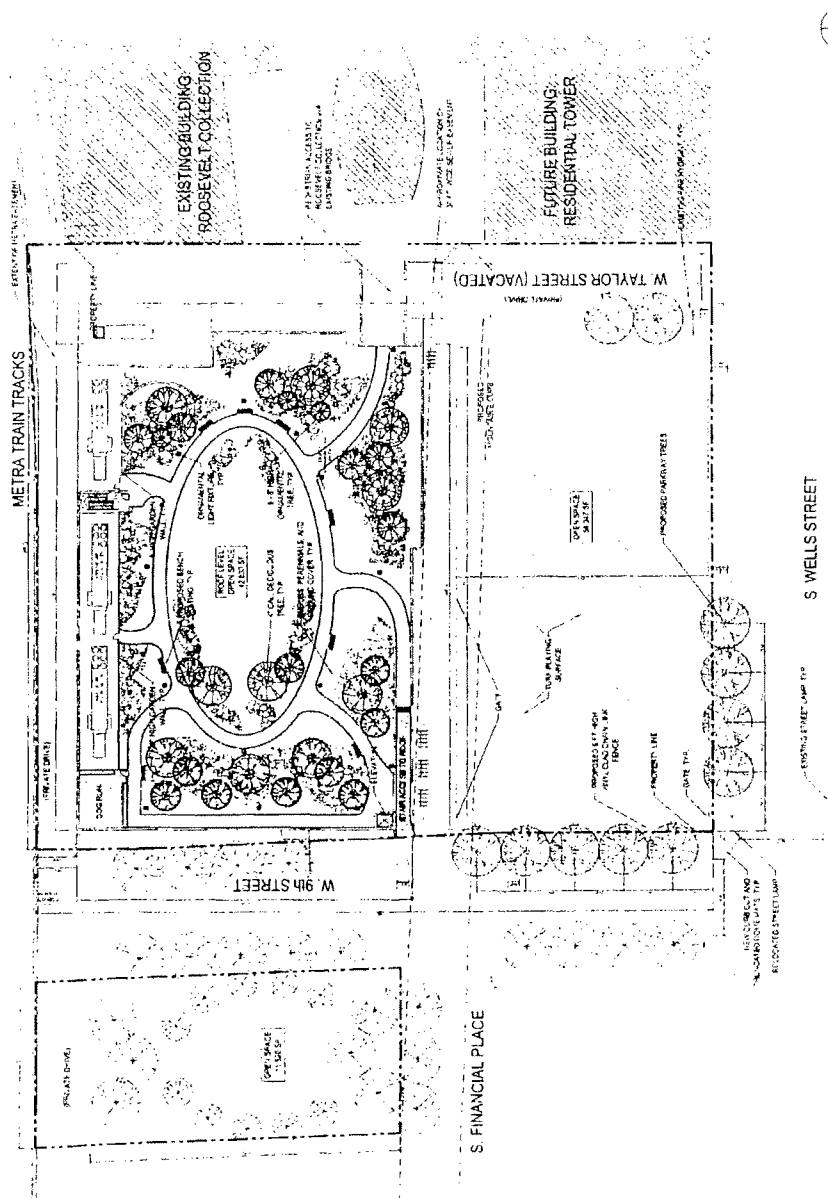
Sub-Area III: Site Plan - Ground Floor Plan

Date: May 16, 2013

Roosevelt Collection - Planned Development # 523 Amendment Exhibits

Applicant: McCaffery Interests, Inc.
Address: 150 West Roosevelt Road, Chicago, Illinois

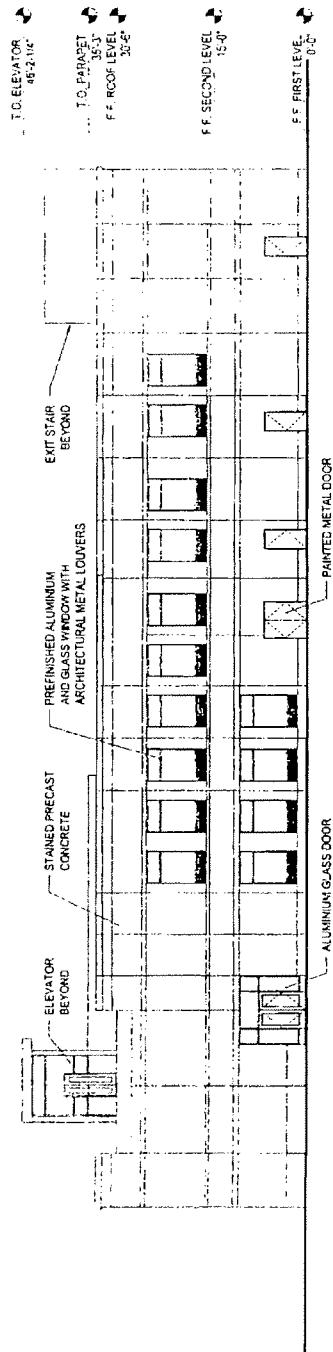
Subarea III -- Landscape Plan Green Roof Plan.



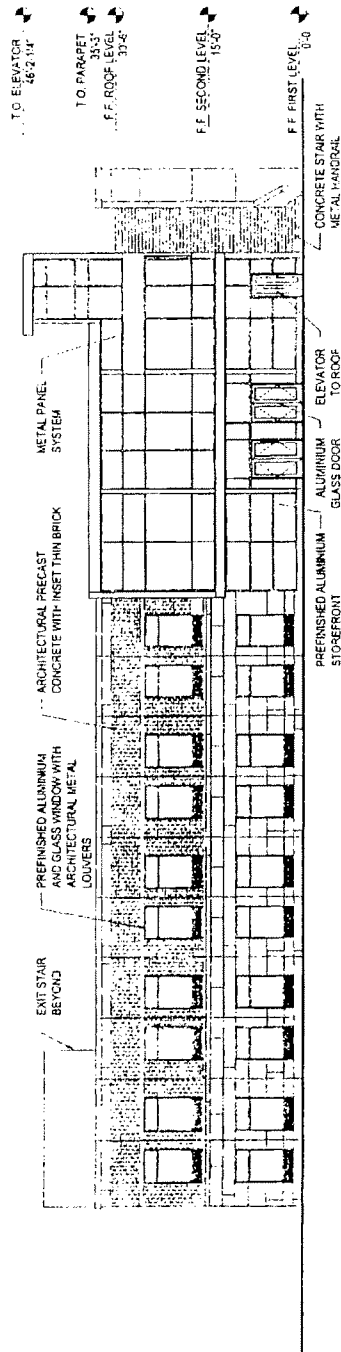
Roosevelt Collection - Planned Development # 523 Amendment Exhibits
 Applicant: McCaffery Interests, Inc.
 Address: 150 West Roosevelt Road Chicago, Illinois

Sub-Area III: Landscape Plan / Green Roof Plan
 Date: May 16, 2013

North And South Building Elevations.



SOUTH ELEVATION



NORTH ELEVATION



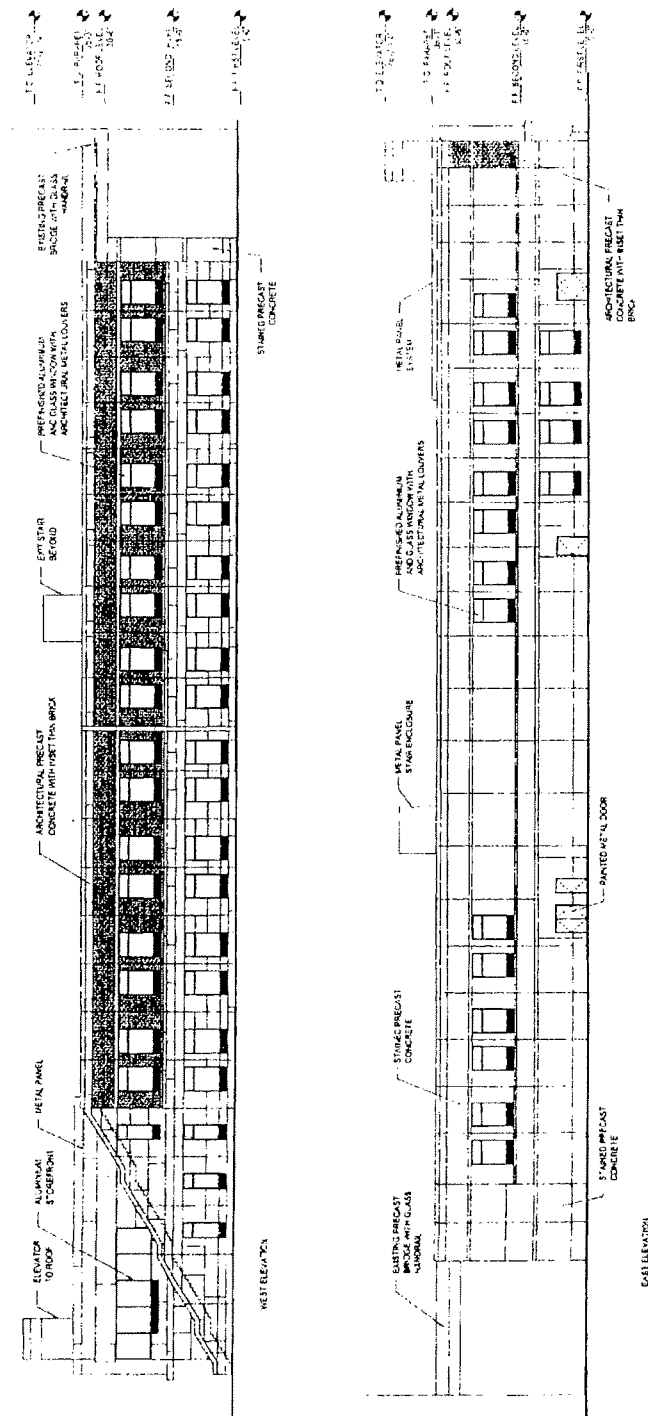
North and South Building Elevations

Roosevelt Collection - Planned Development # 523 Amendment Exhibits

Date: May 16, 2013

Applicant: McCaffery Interests, Inc.
 Address: 150 West Roosevelt Road, Chicago, Illinois

West And East Building Elevations.



Roosevelt Collection - Planned Development # 523 Amendment Exhibits

Date: May 16, 2013

Applicant: McCaffery Interests, Inc.
 Address: 150 West Roosevelt Road, Chicago, Illinois



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

November 30, 2012

Theodore Novak
DLA Piper US LLP
203 N. LaSalle Street
Suite 1900
Chicago, IL 60601-1293

RE: Revised Sign Agreement for Roosevelt Collection, PD 523

Dear Mr. Novak:

As you know, based on Roosevelt Collection and several other large-scale commercial Planned Development's ("PD") that are currently requesting signage approval, we have made modifications to how we determine the appropriate amount of signage for these areas. In the past, unless there was specific sign language or exhibits referenced within the PD, we used the underlying zoning as a guide in determining the allowable signage amount. Typically, this limits the maximum total sign area to between 600 and 1,800 square feet ("SF"). Occasionally, this does not allow enough signage for large scale commercial developments. Therefore, we are now using, on a case-by-case basis, the underlying zoning calculations as a minimum and maximum allowed. This square footage range will allow greater flexibility in determining the appropriate amount of signage for developments which contain a large amount of commercial space.

In regards to the Roosevelt Collection site, we have defined the street frontage as the interior street/courtyard frontage which is approximately 2,000 linear feet. Applying the underlying DC, DX District regulations, the maximum total sign area is equal to 5 x 2,000 (street frontage) or 10,000 SF. Since there is 2,725 SF of existing signage, a maximum of 7,275 SF of new signage is allowed. As stated previously, we do not feel you will need to use the entire 10,000 SF allowed, since many tenants will most likely occupy several bays and/or floors.

Also, the following restrictions apply to Roosevelt Collection:

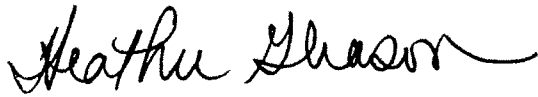
1. Any tenant occupying more than one retail bay or more than one floor is limited to one principal wall sign per elevation, one blade sign and awning signs. While we are not limiting the maximum size of the blade sign, we strongly encourage blade signs and not banners. For example, page 21 of the exhibits identifies a typical blade sign measuring 2 1/2' x 3 1/2' while the banner measures 2' x 10'. While secondary wall signs are allowed on the rear elevations, we strongly encourage you to establish a sign

band along the rear elevations so that there is a consistent placement and uniform scale to these signs. Additionally, the corner tenants may have a secondary wall sign on the Roosevelt Road elevations.

2. Each tenant's gross sign area may not exceed 2x the interior street frontage.

This is a new way of calculating signage amounts, so hopefully we can continue to work together so that we are both comfortable with how the finished product will look. If questions arise during the leasing process, please feel free to forward preliminary sign drawings to Teresa McLaughlin for review prior to submitting for permit. Thank you.

Sincerely,

A handwritten signature in black ink, reading "Heather Gleason". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Heather Gleason
Assistant Commissioner

C: Joe Antunovich, Teresa McLaughlin, Main file



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

September 6, 2011

Theodore J. Novak
DLA Piper LLP (US)
203 North LaSalle Street
Suite 1900
Chicago, IL 60601-1293

Re: Minor change to the Site Plan Approval for Residential Planned Development No. 523, Sub-Areas I and II, The Roosevelt Collection, 150 West Roosevelt Road

Dear Mr. Novak:

Please be advised that your request for a minor change to the existing site plan approval, dated August 9, 2007, for Residential Planned Development No. 523, Sub-Areas I and II, the Roosevelt Collection, 150 West Roosevelt Road, has been considered by the Department of Housing and Economic Development.


On behalf of your client, McCaffery Roosevelt, LLC, this request relates only to the modification of existing improvements located in Sub-Areas I and II. This phase of development (Phase I) reuses the majority of the in-place improvements, while correcting deficiencies that have led to a near 100% vacancy in retail tenants. Phase I includes: removal of the existing retail pavilion buildings in the center median, replacement of such buildings with a new active public plaza, increased pedestrian access to parking levels below, redesign of the existing pedestrian entrances from Roosevelt Road, parallel parking spaces adjacent to the retail stores, wider sidewalks, increased landscaped areas, improved lighting, improvements to the retail storefronts such as awnings and lighting, improvements to the retail parking levels via escalators and elevators from the public plaza, improvements to the parking garage in terms of layout, lighting and signage to improve circulation, and the widening of roadways and ramps to the parking levels. By removing the existing retail pavilions in the center median, 17,746 gross square feet of retail area and the associated green roof will be removed. This results in a decrease to the required green roof area from 95,450 square feet to 92,728 square feet, as identified on the proposed Green Roof Plan. Although the green roofs will be removed from the pavilions, these vegetated areas will be replaced with actual landscaped areas within the center median.

The following drawings, all dated August 10, 2011, shall be inserted into the main file: Sub-Area Map, Proposed Site Plan, Proposed Landscape Key Plan, and Proposed Green Roof Plan.

With regard to your request, the Department of Housing and Economic Development has determined that allowing these modifications will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, will not change the character of the development, and therefore, would constitute a minor change. However, please be advised that approval from the Chicago Department of Transportation and the Illinois Department of Transportation are required for the proposed vehicular entry/exit reconfiguration.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Planned Development No. 523, I hereby approve the foregoing minor change to the site plan approval, but no other changes to this Planned Development.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm

C: Maureen West, Mike Marmo, Erik Glass, Benet Haller, Main file



City of Chicago
Richard M. Daley, Mayor

Department of Planning and
Development

Arnold L. Randall
Commissioner

City Hall, Room 3600
121 North LaSalle Street
Chicago, Illinois 60602
312 744-4100
312 744-2271 (FAX)
312 744-2578 (TTY)

<http://www.cityofchicago.org>

June 25, 2008

Mr. Forrest E. Russell
Target Corporation
Property Development
1000 Nicollet Mall
Minneapolis, MN 55403

**Re: Administrative Relief request for Residential Business Planned
Development No. 523, as amended, Subarea 5, Target Store at 1154
South Clark Street**

Dear Mr. Russell:

Please be advised that your request for a minor change to Residential Business Planned Development No. 523, as amended, has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 12 of the Planned Development.

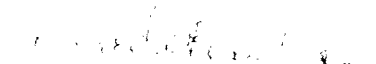
Specifically, in regards to the existing Target Store at 1154 S. Clark St., you are requesting to:

- Install a fourth elevator in the existing unused elevator shaft to provide additional access to the lower level parking.
- Redesign the existing emergency stairwell to serve as a Target branded stairway access to the lower level parking. The internal store lobby will be extended to the stairwell and opened visually to S. Clark St. by installing glass in place of the existing solid wall and metal mesh panel as shown on the Lobby Modification drawings dated May 21, 2008.

With regard to your request, the Department of Planning and Development has determined that these revisions do not create an adverse impact on the Planned Development or surrounding neighborhood, do not result in an increase in the bulk or density, do not change the character of the development and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and the Planned Development, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

Sincerely,


Arnold L. Randall
Commissioner

ALR:SAJG:tm

cc: Bob McKenna, Mike Marmo, Pat Haynes, Erik Glass, Fred Deters, DPD files





City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190
(312) 744-2271 (FAX)
(312) 744-2578 (TTY)
<http://www.cityofchicago.org>

August 9, 2007

Patrick D. Thompson
DLA Piper US, LLP
203 North La Salle Street, Suite 1900
Chicago, Illinois 60601

**Re: Site Plan Approval for Residential-Business Planned
Development No. 523, as amended, Subareas 1, 2, and 3
(part)
(Roosevelt Collection - 150 West Roosevelt Road)**

Dear Mr. Thompson:

We have reviewed your request submitted on behalf of Roosevelt Collection, L.L.C., for Site Plan approval for development in Subareas 1, 2 and 3 (part) of Residential-Business Planned Development No. 523, as amended. In Subareas 1 and 2, combined, the request proposes mixed-use development with approximately 1,277,289 square feet of FAR floor area, including 449,055 square feet of retail space, 342 residential units in two six-level mid-rises and approximately 294 residential units in a 43-story high-rise building, approximately 1,600 spaces of off-street parking, and 9 off-street loading spaces. In Subarea 3, the request proposes a combination access drive/fire lane and a staircase structure.

The proposed improvements conform to the following provisions of the Planned Development for Subareas 1/2:

- Maximum Floor Area Ratio: 6.39 [proposed = 3.82];
- Maximum Number of Dwelling Units: 1000 [proposed = 636];
- Maximum Site Coverage: 100% [proposed = 100%];
- Minimum Number of Off-Street Parking Spaces:
 - Residential: 1 per dwelling unit for first 50 units, 0.55 per unit thereafter, per sub-area (395 spaces for 636 dwelling units) [proposed = 510 spaces];
 - Retail: 0.4 space per 1000 square feet for first 25,000 square feet; thereafter, 2.5 spaces per 1000 square feet, per sub-area (1,071 spaces for 449,055 square feet) [proposed = 1,082 spaces];
 - Other Uses: None required
- Minimum Number of Off-Street Loading Spaces:
 - Residential: 1 per each 200,000 square feet (4 spaces for 800,381 square feet) [proposed = 3];
 - Retail: 4 for 250,000 square feet + 1 for each additional 200,000 square feet (5 for 449,055 square feet) [proposed = 6];



- Minimum Number of Bicycle Parking Spaces (residential): 50;
- Maximum Building Height: 500 feet for the residential tower at the north end of Sub-area 2, otherwise, 380 feet [proposed = 443 feet for residential tower, otherwise 153 feet, both as measured from grade of Wells Street].

The following features of the proposed improvements do not conform to the requirements of the Planned Development, but are in substantial conformance for the stated reasons:

- No sidewalk is provided along the west side of the fire lane/drive along the Metra tracks, as required by Statement No. 7 and Bulk Regulations and Data Table. *This fire lane/drive is intended solely for fire access; it will not be used as a vehicle or pedestrian connection.*
- Along Wells Street, the building will not be set back 16 feet from the face of curb, as required by the Bulk Regulations and Data Table. *The cross-section of Wells Street, and thus the location of the curb line, will be determined by CDOT.*
- Balconies will extend over the sidewalk along Roosevelt Road (prohibited by the Bulk Regulations and Data Table - Footnote). *Two bays of balconies, beginning approximately 33 feet above the Roosevelt Road sidewalk will project approximately 1'-7" over the sidewalk. The projections are small, especially in relation to the width of the street, and confined to two bays.*

Site Plan approval for the referenced improvements in Subareas 1, 2, and 3 (part) is hereby approved, based on the following exhibits and subject to the provisions of this letter:

EXHIBITS

The Site Plan request was supported by the following plans, all dated February 2, 2007, except as noted:

- Sub-area Map (April 17, 2007) (delineating the area subject to this Site Plan request);
- AR.01 Site Plan - Wells Street (April 18, 2007);
- AR.02 Site Plan - Roosevelt Road (April 17, 2007);
- L1.00 Landscape Plan - Plaza;
- L1.12 Enlarged Landscape Plan - Roof;
- L2.00 Plant List;
- AR.03 Roof Plans (Green Roof);
- AR.04 West Building - East Elevation;
- Wells Street Elevation (received July 3, 2007);
- AR.06 East Building - Elevations;
- AR.07 South and North Elevations (April 17, 2007);
- AR.08 Other Elevations (except the Grand Staircase);

- Grand Staircase - plan (May 21, 2007);
- Grand Staircase - perspective view (May 21, 2007);
- PD W1 Loft - Plaza Elevation (West Building) (April 17, 2007);
- PD W2 Loft - West Elevation (West Building) (April 17, 2007);
- PD W3 Loft - Miscellaneous Elevations (West Building) (April 17, 2007);
- PD E1 Loft - Plaza Elevation (East Building) (April 17, 2007);
- PD E2 Loft - East Elevation (East Building) (April 17, 2007);
- PD E3 Loft - Miscellaneous Elevations (East Building) (April 17, 2007);
- PD S1 Loft - South Elevation (April 17, 2007);
- AT201 Tower - North Elevation;
- AT202 Tower - West Elevation;
- AT203 Tower - South Elevation;
- AT204 Tower - East Elevation; and
- Street Sections (April 17, 2007).

PROVISIONS


1. There shall be a vegetated ("green") roof over at least 95,450 square feet of the roof area of the improvements as indicated on plan AR.03 Roof Plans. Only "green" roof areas that are integral to the building and maintained as common areas shall count toward fulfillment of this requirement; including permanent planting structures. We strongly recommend that extensive vegetated areas be consolidated as much as possible into large areas to attain the maximum green roof benefit .
2. The driveway entrance onto Roosevelt Road shall be located, designed, and constructed to specifications approved by the Chicago Department of Transportation.
3. The Chicago Department of Transportation shall be responsible for the design and construction of South Wells Street.
4. All windows on the first two floors facing Roosevelt Road shall be clear vision glass and shall afford a clear view into the retail space or be devoted to product display, except frosted glass shall be used to conceal the emergency egress corridors that exit on to Roosevelt Road. The wall area below the Roosevelt Road windows shall be decorated with an architectural treatment or artwork, which shall be subject to the review and approval of the Department of Planning and Development.

5. All signs shall be subject to the review and approval of the Department of Planning and Development. Before any signs are approved, the Applicant shall submit a comprehensive signage plan to the Department for its review and approval. Such a signage plan shall, at a minimum, identify all sign bands and specify sign types and sizes.
6. The Planned Development (Statement No. 16) contemplates the operation of a children's day care facility. Applicant shall market the retail space located along Wells Street to a children's day care operator pursuant to the terms set forth in Statement 16. Applicant shall have the right to offer comparable size space elsewhere in the development at Applicant's discretion. Within 90 days of the date of this letter, the Applicant will meet with the Department of Children and Youth Services to verify that the space the Applicant will market to operators of day care facilities is of the appropriate size and meets the typical space needs of a day care facility. The space will be offered to an operator of day care facilities in the same condition as the other retail space is being offered to other tenants in the development. The Applicant will provide updates of its marketing efforts to the Department of Planning and Development and the Department of Children and Youth Services upon request.

This letter, together with the attached Exhibits and the plans incorporated by reference, constitutes Site Plan Approval for Subareas 1, 2, and 3(part) of Residential-Business Planned Development No. 523.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen Nelson", with a long, sweeping horizontal stroke extending to the right.

Kathleen Nelson 
First Deputy Commissioner

Originated by Fred Deters

cc: Kathleen Nelson, Michael Marmo, Patrick Haynes, Erik Glass,
Terri Haymaker, Planned Development files



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Lori T. Healey
Commissioner

City Hall, Room 1000
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<http://www.cityofchicago.org>

January 30, 2007

Mr. Peter Vargulich, RLA
URS Corporation
100 South Wacker Drive; Suite 500
Chicago, Illinois 60606

RE: Request for Minor Change to Site Plan Approval for Subarea 7 of Residential-Business Planned Development No. 523, as amended (900 South Clark Street)

Dear Mr. Vargulich:

Please be advised that your request for Minor Changes to the Site Plan Approval Letter of March 3, 2006, for Subarea 7 of Residential-Business Planned Development No. 523, as amended, on behalf of 900 South Clark Associates has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of Chicago Zoning Ordinance and Statement No. 12 of the Planned Development.

Specifically, you requested to substitute the drawings L5.00 Overall Landscape Planting Plan and Details and L1.01 Front Court Enlargement Plan, both by URS Corporation and dated January 6, 2007, for the corresponding plans referenced in the Site Plan Approval Letter. Among the changes indicated in these plans are:

- Elimination of parkway trees along S. Clark Street due to CDOT's altered street geometrics for S. Clark Street, and the addition of trees inside the property line;
- Addition of a decorative metal fence along the S. Clark Street and W. 9th Street frontages of the Front Auto Court;
- Reconfiguration of the landscaping between the residential tower and the garage;
- Coverage of the Dog Run area, located in the Building Separation Zone south of the garage, with four inches of gravel in place of turf;
- Installation of a fence around the Dog Run area in the Building Separation Zone; and
- Coverage of the townhouse site with turf until the townhouses are built.

The Department has reviewed the request and has determined that the proposed minor changes would conform to the requirements of Section 17-13-0611 of the Zoning Ordinance and would be appropriate.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and the Planned Development, I hereby approve the requested Minor Changes to the Site Plan Approval Letter, dated March 3, 2006, for Subarea 7 of this Planned Development.

Very truly yours,

Lori T. Healey

Lori T. Healey
Commissioner

Originated by: Fred Deters

cc: Michael Marmo, Ronald Daye, Terri Haymaker, Kathleen Nelson, Planned Development files





City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Lori T. Healey
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January 30, 2007

Peter Vargulich, RLA
URS Corporation
100 South Wacker Drive, Suite 500
Chicago, Illinois 60606

Re: Site Plan Approval for Residential-Business Planned
Development No. 523, as amended, Subarea 7 - Garage
Elevations
(900 South Clark Street)

Dear Mr. Vargulich:

We have reviewed your request submitted on behalf of 900 South Clark Associates for Site Plan approval for the garage elevations of the development in Subarea 7 of Residential-Business Planned Development No. 523, as amended. The elevations are illustrated on the plan L3.00 Garage Vine Trellis Elevations dated January 11, 2007, by URS Corporation.

The elevations include vines and trellises on all four sides of the north, east, and west sides of the garage structure and planters on top of the west elevation. Any signs attached to the garage shall be subject to separate application and approval by the Department of Planning and Development as required by Statement No. 6 of the Planned Development, as amended.

An earlier Site Plan Approval Letter, dated March 3, 2006, has approved the garage's footprint, the vehicle and pedestrian entrances, the structure height, and the number of parking spaces.

This letter, together with the attached plan incorporated by reference, constitutes Site Plan Approval for the garage elevations in Subarea 7 of Residential-Business Planned Development No. 523, as amended.

Sincerely,

Lori T. Healey
Commissioner

Originated by Fred Deters

cc: Mike Marmo, Terri Haymaker, Kathleen Nelson, Planned Development files



Site Plan approval for the referenced improvements in Subarea 7 is hereby approved, based on the following exhibits and subject to the provisions of this letter:

EXHIBITS

By Solomon Cordwell Buenz, all dated December 14, 2005, unless otherwise noted:

Area Tabulation and Unit Mix (December 19, 2005)
Site Plan w/ Green Roof
Ground Floor Plan
Typical Floor Plan (December 19, 2005)
Roof Plan
North Elevation
South Elevation
East Elevation
West Elevation
Building Section through Tower and Parking Garage.

By URS Architects Engineers Planners, all dated December 14, 2005, unless otherwise noted:

C2.20 Plan and Profile (9th Street, Clark St. to Metra)
L1.00 Schematic Landscape Plan
L1.01 Landscape and Pavement Plan and Site Plan
(March 3, 2006)
L2.00 Rooftop Schematic Landscape Plan.

PROVISIONS

1. There shall be a vegetated ("green") roof over at least 25% of the net roof area of all new construction buildings with four or more residential units. "Net roof area" is defined as total roof area minus any required perimeter setbacks, roof top structures, and roof-mounted equipment. Only "green" roof areas that are integral to the building shall count toward fulfillment of this requirement; free-standing planters shall not.
2. This Site Plan Approval does not cover the townhouses indicated for future development along W. 9th Street. A separate Site Plan Approval request for the townhouses will have to be submitted to, and approved by, the Department of Planning and Development before any Part II Approval is issued for the townhouses.



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Lori T. Healey
Commissioner

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March 3, 2006

Jeffrey F. Zdenahlik
Solomon Cordwell Buenz
625 North Michigan Avenue
Chicago, Illinois 60611

Re: Site Plan Approval for Residential-Business Planned
Development No. 523, as amended, Subarea 7
(900 South Clark Street)

Dear Mr. Zdenahlik:

We have reviewed your request submitted on behalf of 900 South Clark Associates for Site Plan approval for development in Subarea 7 of Residential-Business Planned Development No. 523, as amended, of a residential tower with accessory uses. The approximately 262-foot high, 24-story residential building would contain 461,726 square feet of FAR floor area and 440 residential units. At least 276 spaces of off-street parking would be provided in a separate parking structure.

The proposed improvements conform to the following provisions of the Planned Development for Subarea 7:

1. Maximum Floor Area Ratio: 6.39 [proposed = 4.31, without townhouses];
2. Maximum Number of Dwelling Units: 690 [proposed = 440, without townhouses];
3. Minimum Number of Units with 2+ bedrooms: 20% (88 units) [proposed = 132 units or 30%];
4. Maximum Site Coverage: 68% [proposed = 41%, without townhouses];
5. Minimum Number of Off-Street Parking Spaces: 1 per dwelling unit for first 50 units, 0.55 per unit thereafter (265 spaces for 440 dwelling units) [proposed = 276 spaces]; and
6. Maximum Building Height (along Clark Street):
 - 0' - 15' from Clark Street right-of way: 55 feet [proposed = 0'; landscaped setback extends 26' from Clark Street]
 - 15' - 90' from Clark Street right-of-way: 120 feet [proposed = 262 feet, as per Minor Change dated March 3, 2006]
 - 90'+ from Clark Street right-of-way: 380 feet [proposed = 262 feet].



3. For the garage building, this Site Plan Approval applies only to the structure footprint, the vehicle and pedestrian entrances, the structure height (4 levels/ 38 feet plus penthouse, with permitted future expansion to 7 levels/ 64 feet plus penthouse), and the number of parking spaces (276, with permitted future expansion to 453 spaces). Detailed elevations of all sides of the structure will have to be submitted to, and approved by, the Department of Planning and Development before any Part II Approval is issued for the garage structure.
4. The fence running through the Building Separation Zone indicated on drawing L1.00 is not approved. Statement 10.i.(1) of the Planned Development prohibits fences in the Building Separation Zones.

This letter, together with the attached Exhibits and the plans incorporated by reference, constitutes Site Plan Approval for Subarea 7 of Residential-Business Planned Development No. 523.

Sincerely,



Lori T. Healey 
Commissioner

Originated by Fred Deters

cc: Mike Marmo, Terri Haymaker, Planned Development files



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

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March 3, 2006

Mr. David Narefsky
Mayer, Brown, Rowe & Maw, LLP
71 South Wacker Drive
Chicago, Illinois 60603

RE: Request for Minor Change to Residential-Business Planned Development
No. 523, as amended; Subarea 7
(900 South Clark Street)

Dear Mr. Narefsky:

Please be advised that your request for Minor Changes to Residential-Business Planned Development No. 523, as amended, Subarea 7 on behalf of 900 South Clark Associates has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of Chicago Zoning Ordinance and Statement No.12 of the Planned Development.

Specifically, you requested modification of the Maximum Building Height requirement in the Bulk Regulations and Data Table as it applies to the Low Height Zone along South Clark Street in Subarea 7. The Planned Development as amended December 17, 2003, requires a maximum building height of 120 feet in the zone defined between 15 feet and 90 feet from the Clark Street right-of-way; you requested to increase that maximum building height to 262 feet.

Also, the Minimum Streetscape Dimensions in the Bulk Regulations and Data Table require a minimum distance between building faces and the curb of the adjacent street of 16 feet (except along Clark Street and Roosevelt Road). For a stretch of approximately 55 feet, the face of the building proposed for Subarea 7 would be setback only 14 feet from the indicated curb line of West 9th Street.

The Department has reviewed the request and has determined that the proposed minor changes would conform to the requirements of Section 17-13-0611 of the Zoning Ordinance and would be appropriate.

Because the proposed development would be set back at least 26 feet from Clark Street and as much as 65 feet in some places, the requested modification of the Maximum Building Height as it pertains to Subarea 7 would realize the intent of the height requirement to create a transition from, and mitigate the impact upon, the low-rise development on the other side of Clark Street. The substandard 14-foot setback along 9th Street from the building face to the street curb would exist for only approximately 55 feet of the total 323 feet of frontage along 9th Street. The 14-foot setback would nevertheless provide at least 1.5 feet of landscaping between the 9th Street sidewalk and the building face.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and the Planned Development, I hereby approve the requested Minor Changes to this Planned Development.

Very truly yours,

Lori T. Healey

Lori T. Healey
Commissioner

Originated by: Fred Deters
cc: Michael Marmo, Patricia Scudiero, Terri Haymaker, Planned Development files



95364

JOURNAL--CITY COUNCIL--CHICAGO

12/13/2006

Yeas -- Aldermen Haithcock, Preckwinkle, Hairston, Lyle, Beale, Pope, Cárdenas, Olivo, Burke, T. Thomas, Coleman, L. Thomas, Rugai, Troutman, Brookins, Zalewski, Chandler, Ocasio, Burnett, E. Smith, Carothers, Reboyras, Suarez, Matlak, Austin, Colón, Banks, Mitts, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Tunney, Shiller, Schulter, Moore, Stone -- 39.

Nays -- Alderman Balcer -- 1.

Alderman E. Smith moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Title 17 of the Municipal Code of the City of Chicago, the Chicago Zoning Ordinance, is hereby amended in Section 17-17-0104-A (4) by deleting the language struck-through as follows:

4. An adult entertainment cabaret is a public or private establishment which
 - (i) features topless dancers, strippers, (ii) ~~male or female impersonators~~;
 - (ii) not infrequently features entertainers who display "specified anatomical areas"; or (iii) features entertainers who by reason of their appearance or conduct perform in a manner which is designed primarily to appeal to the prurient interest of the patron or entertainers who engage in, or engage in explicit simulation of, "specified sexual activities".

SECTION 2. This ordinance shall take effect upon its passage and due publication.

AMENDMENT OF TITLE 17 OF MUNICIPAL CODE
OF CHICAGO (CHICAGO ZONING ORDINANCE)
BY RECLASSIFICATION OF AREA SHOWN
ON MAP NUMBER 2-F.
(As Amended)
(Application Number 15515)

(Committee Meeting Held May 25, 2006)

The Committee on Zoning submitted the following report:

12/13/2006

REPORTS OF COMMITTEES

15515
95365

CHICAGO, December 13, 2006.

To the President and Members of the City Council:

Reporting for your Committee on Zoning, for which a meeting was held on May 25, 2006, I beg leave to recommend that Your Honorable Body *Pass* one ordinance transmitted herewith for the purpose of reclassifying a particular area. It is referred to as Application Number 15515 for property located at 1158 South Clark Street which was corrected and amended in its amended form.

At this time, I move for passage of the amended ordinance transmitted herewith.

Respectfully submitted,

(Signed) WILLIAM J. P. BANKS,

Chairman.

RBP 523
CC

On motion of Alderman Banks, the said proposed amended ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Haithcock, Preckwinkle, Hairston, Lyle, Beale, Pope, Balcer, Cárdenas, Olivo, T. Thomas, Coleman, L. Thomas, Rugai, Troutman, Brookins, Zalewski, Chandler, Ocasio, Burnett, E. Smith, Carothers, Reboyras, Suarez, Matlak, Austin, Colón, Banks, Mitts, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Tunney, Shiller, Schulter, Moore, Stone -- 39.

Nays -- None.

Alderman E. Smith moved to reconsider the foregoing vote. The motion was lost.

Alderman Burke invoked Rule 14 of the City Council's Rules of Order and Procedure, disclosing that he had represented parties to this ordinance in previous and unrelated matters.

The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the Residential-Business Planned Development Number 523, as amended, symbols and indications as shown on Map Number 2-F in the area bounded by:

West Polk Street; a southwesterly line (194.27 feet long) starting on the south line of West Polk Street at a point 148.54 feet east of the east line of South Financial Place and ending at a point 194.27 feet south of the south line of West Polk Street and 79 feet, more or less, west of the centerline of vacated South LaSalle Street; a line 332.69 feet, more or less, west of the west line of South Clark Street; a line 497.43 feet south of the south line of West Polk Street; South Clark Street; West Roosevelt Road; South Wells Street; the alley next north of West Taylor Street; and the alley next east of South Wells Street,

to those of Residential-Business Planned Development Number 523 as amended, which is hereby established in the area described above subject to such use and bulk regulations as are set forth in the Plan of Development attached hereto and to no others.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

Plan Of Development Statements. RBPD 523, aa

1. The area delineated herein as Residential-Business Planned Development (the "Planned Development") consists of approximately nine hundred sixty-eight thousand five hundred ninety-six (968,596) square feet (twenty-two and twenty-four hundredths (22.24) acres) net site area which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property").
2. The applicant shall obtain all official reviews, approvals and permits necessary to implement the development of the Property. Any dedication or vacation of streets or alleys or easements or any adjustment of rights-of-way depicted on the Right-of-Way Adjustment Map shall require a separate submittal on behalf of the applicant and approval by the City Council. Any areas to be dedicated shall be excluded and any areas to be vacated shall be included in determining the Net Site Area (as said term is defined by the Chicago Zoning Ordinance) of this Planned Development.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the applicant, its successors and assigns and, if different than the applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the applicant shall inure to the benefit of the applicant's successors and assigns and, if different than the applicant, the legal titleholder and any ground lessors.

Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this statement shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessors of the Property. Provided, however, that where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" or "legal titleholder" shall be deemed to refer solely to the condominium association of the owners or legal titleholders of such portions of the improvements and not to the individual unit owners therein. An agreement among property owners, the board of directors of any property owners association, or a covenant binding property owners, may designate the party or parties authorized to make application for any future amendment, modification or change with respect to all or any portion of the Property. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term applicant shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder.

4. This Planned Development consists of: nineteen (19) Planned Development Statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Right-of-Way Adjustment Map; and a Subarea Plan. The Planned Development is applicable to the area delineated herein and these and no other controls shall apply. References to the Chicago Zoning Ordinance and other provisions of the Municipal Code shall mean those provisions in effect as of the date of this Planned Development. The Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a Planned Development.
5. The area within the Planned Development boundaries is divided into eight (8) subareas as indicated on the Subarea Plan. The following uses shall be permitted within all subareas except Subarea III:

dwelling units, business and professional offices, hotels and motels, retail and commercial uses, any use permitted in the DX-5 Downtown Mixed-Use zoning district (except auto service stations and motor vehicle service/repair garages), railroads, railroad rights-of-way, open space and park uses, playgrounds (including without limitation recreational facilities relating to day care establishments), golf courses, tourist homes and lodging houses, hospitals, housing and assisted living facilities for elderly persons, indoor and outdoor athletic and recreational facilities, indoor and outdoor entertainment related uses, accessory and nonaccessory off-street parking, restaurants and taverns including live entertainment and dancing, telecommunication antennae and facilities, theaters (including cinemas), health clubs, day care centers, colleges, universities, schools of any type, churches, libraries, home occupations, philanthropic and eleemosynary uses and accessory uses; provided, however, no single floor of any single building shall be occupied by both residential and nonresidential uses, except as permitted by the Home Occupation provisions of the Chicago Zoning Ordinance.

The following uses shall be permitted within Subarea III:

Publicly available open space, park uses and facilities, playgrounds, outdoor athletic and recreational uses, outdoor entertainment and related uses and facilities, farmers markets, outdoor exhibit and entertainment (including without limitation art festivals and live music).

6. Identification signs and on-site business and business identification signs and temporary signs, such as construction marketing signs, are permitted upon the Property subject to the review and approval of the Department of Planning and Development (the "Department"). No business signs shall be permitted within Subarea III of the Property.
7. Any private roadway or any other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation and in compliance with the Municipal Code of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago. Vehicular ingress and egress shall be subject to the review and approval by the Chicago Department of Transportation and by the Department. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way

and in compliance with the Municipal Code of the City of Chicago. Applicant has obtained preliminary approval from the Chicago Department of Transportation for the design geometry of the driveway on Roosevelt Road in Subarea I; however, final approval must be obtained from the Chicago Department of Transportation and the Illinois Department of Transportation. A continuous sidewalk shall be provided along all private streets (except along the Metra side of a public or private street or drive) as necessary to assure pedestrian access between all development located along said private streets and the public way.

The owner(s) of the commercial units in Subareas I and II shall participate in a Roosevelt Road corridor association such as a traffic management association, a special service area or similar entity in a manner proportionate to the member's traffic impact on the Roosevelt Road corridor as determined by the Department, the Department of Transportation and the members of the association. The West Roosevelt Road corridor is defined to include properties on the north and south sides of West Roosevelt Road, from South Clark Street on the east to the Dan Ryan Expressway (Interstate 90/94 on the west). A formula shall be devised to calculate the traffic impact of the retail and commercial uses along the corridor, including but not limited to one or more of the following: trip generation, peak hour volumes, store footage, number of parking spaces, or other such quantifiable measurements. Fees charged to members of the association shall not exceed their equitable share which shall be based on the commercial traffic impact of each property as a percent of commercial traffic impact of all properties in the corridor. The City anticipates that the entity will provide services that enhance traffic flow in the corridor including but not limited to a trolley to convey shoppers between developments within the Roosevelt Road corridor, information to provide shoppers with alternate routes to the Roosevelt Road corridor developments. At the written request of the entity, applicant agrees to cooperate in establishing a shared parking arrangement among entity members to minimize short vehicular trips between proximate developments within the Roosevelt Road corridor. The City agrees to endeavor to secure voluntary participation in the association by owners of developed property in the corridor.

8. The height of each building and free-standing structure located upon the Property and any appurtenances attached thereto, shall be subject to the Bulk Regulations and Data Table as well as any height limitations established by the Federal Aviation Administration.
9. For purposes of maximum floor area ratio ("F.A.R.") calculations, the definition contained in the Chicago Zoning Ordinance shall apply. Transfer of floor area from one subarea to another may be approved by the Department if it meets the criteria for minor changes set forth in Statement Number 12 hereof.

10. The improvements on the Property shall be designed, constructed and maintained in general conformance with the plans and exhibits set forth in Statement Number 4.

In addition, the development of the Property shall be subject to the following:

- a. **Parking.** Off-street parking shall be provided upon the Property in accordance with the provisions of this statement and the Bulk Regulations and Data Table and shall also be subject to the standards set forth below:

- (1) Interim outdoor, at-grade, off-street parking existing on the Property on the date of this amended Planned Development may be maintained as is for a period not to exceed five (5) years; provided, however, that the Commissioner of the Department may authorize the continuation of such interim parking for additional periods where deemed appropriate. Any new interim outdoor, at-grade, off-street parking shall be located, landscaped and maintained in a manner consistent with the vehicular use area landscaping and screening provisions of the Chicago Zoning Ordinance and associated regulations.
- (2) Permanent, at-grade, off-street parking that is not enclosed in a structure and which is visible from a public right-of-way is permitted subject to the following limitations. Such parking shall be set back at least twenty (20) feet from any adjacent public right-of-way. Such setback shall be bermed to a height of at least two (2) feet above the grade of the adjacent sidewalk and shall be landscaped with one (1) two and one-half (2½) inch caliper tree for every twenty-five (25) feet of frontage along the public way, shrubs and ground cover to provide a continuous screen of at least two and one-half (2½) feet in height total, including the berm, so as to substantially screen the parking lot from view from the adjacent right-of-way. In addition to appropriate landscaping, a decorative fence a minimum of four (4) feet high shall be constructed along the top of the berm to further enhance the screening of the adjacent parking. In lieu of the screening described above, the Department may approve an alternative treatment including, but not limited to, vine-covered fences or trellises, structural walls or screens upon a finding that such alternative treatment would:

- (a) provide an effective visual screen of the parking areas and parked automobiles;
- (b) promote the physical definition of a continuous street wall;
- (c) provide a visual effect which promotes and enhances the vehicular and pedestrian experience through the use of quality architectural and urban design; and
- (d) be appropriately designed and maintained to satisfy applicable building and/or landscape industry standards.

Notwithstanding the foregoing, the provisions of this Statement 10.a.(2) shall not apply to parallel parking provided on public and private streets and drives on the Property.

- (3) Off-street parking required to serve uses developed on the Property shall be located on the same side of the Metra tracks as the use served. For residential uses, parking shall be located within six hundred (600) feet walking distance of the residential use served. Parking required to serve non-residential uses shall be located within one thousand five hundred (1,500) feet walking distance of the non-residential use served.
- (4) The applicant is encouraged to conceal parking structures either by fronting them with habitable space or by enclosing the openings with glazing. Where the exterior walls of any parking structure face or will be substantially visible from a public right-of-way, such walls shall be designed and detailed to be similar in appearance to habitable spaces above, adjacent or in the vicinity of the garage. Such similar design elements shall include, but not be limited to: materials, size, shape, number, and pattern of window openings, cornices, moldings, reveals, sills and other decorative surface treatments. Glazing at window openings is strongly encouraged. Window frames, metal screens or other decorative screening devices should be considered where glazing is not utilized. Ramps, cars and headlights shall be entirely screened and ceiling lights shall be substantially screened from view from pedestrians on the public way and from adjacent residential units.

Where parking structures are located in a building with one hundred (100) or more feet of frontage which fronts on South Clark Street, South Wells Street or West Roosevelt Road, a minimum of twenty percent (20%) of the linear distance of said frontage shall be occupied by active uses. Active uses shall include lobbies, entry areas and passageways, elevator and stair areas, retail, services, restaurants, amusement establishments and institutional or cultural uses. A minimum of seventy-five percent (75%) of the linear distance of said required active use shall be glazed with clear glazing between two (2) feet, six (6) inches and eight (8) feet, zero (0) inches above the sidewalk level. Access to parking structures may be located along any public or private street.

The following design features are strongly encouraged wherever feasible: setback of parking structures above ground floor retail with rooftop planting terraces.

- b. Loading. Off-street loading shall be provided upon the Property in accordance with this statement and with the Bulk Regulations and Data Table. All loading required by this Planned Development shall be located proximate to the building or use served. No unenclosed loading areas shall be located facing South Wells Street, South Clark Street or the Subarea III park. The view of loading areas from other public streets shall be minimized through the use of landscaping and fencing.
- c. Curb Cuts. Private roadways, driveways, entrances to off-street parking and to loading docks, openings for vehicular drop-offs and all other facilities requiring curb cuts shall be located to minimize conflicts with on-street traffic and with pedestrian circulation. Any required street tree removed or made infeasible due to location of a curb cut for a loading dock shall be provided elsewhere upon the Property. No curb cut shall be located within fifty (50) feet of any other curb cut. All curb cuts shall be constructed in accordance with the standards of the City of Chicago. No more than five (5) curb cuts for roadways and drives, parking and loading entrances shall be located along South Wells Street. No more than two (2) curb cuts for roadways shall be located along South Clark Street. Vehicular drop-off areas along South Clark Street shall be subject to C.D.O.T. approval.

d. Landscaping.

- (1) Parkway trees shall be installed and maintained in the public right-of-way adjacent to any development of the Property in accordance with the parkway tree planting provisions of the Chicago Zoning Ordinance and associated regulations unless approved by the Commissioner of the Department of Planning and Development in accordance with Statement 12. Open areas of the Property not otherwise devoted to permitted buildings, parking areas or pedestrian/vehicular circulation areas shall be landscaped to enhance the appearance of the development from the public street, to screen unattractive uses from the street and to provide buffers between adjacent uses. In connection with residential uses, adequate and appropriately designed open space shall be provided in the form of gardens, landscaped areas, children's play lots, playgrounds and above-grade open space facilities (such as roof decks). Landscaping shall consist of grass, ground cover, shrubs, trees or other living plant materials. All landscaping shall be properly maintained at all times. Street trees shall be located in continuous raised planters. The areas along and adjacent to the Metra embankment: (i) shall be fenced; and (ii) notwithstanding the second sentence of this subsection d.(1) above, shall not be required to be landscaped with trees or other landscaping features that would obstruct, or otherwise restrict the configuration of, permitted buildings, parking or loading areas, private drives or would be inconsistent with the applicant's rights and obligations in the ten (10) foot wide Metra maintenance easement area.
 - (2) Prior to development, open areas of the Property shall be maintained with grass; provided, however, that the following areas shall not be subject to this requirement: existing parking areas, roadways and other paved areas; areas occupied by existing foundations or other impediments to the growth of grass; areas occupied by the Metra facilities; existing public rights-of-way; and areas subject to covenants, easements or other restrictions inconsistent with the maintenance of grass. The initial planting of the grass where required shall be completed no later than one (1) year following adoption of this Planned Development.
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- e. **Building Design And Exterior.** The exterior walls of any structure, including walls and fences, facing or visible from the public way shall be designed and constructed to avoid a monotonous and blank appearance through the use of texture and detail, windows, openings, projections, recesses, offsets, variations to the parapet wall, variations in type or color of materials or other architectural devices. The following design features are strongly encouraged wherever feasible: awnings; retail, offices uses, lobby space or similar active uses at ground level; orientation and configuration of buildings located proximate to the south and east boundaries of the Subarea III park area to enhance sunlight onto the Subarea III park area; and cornice lines and other architectural devices to enhance pedestrian scale.
 - f. **Roosevelt Road Building Orientation And Entrances.** Except for improvements for which site plan approval has been issued as of the effective date hereof, all buildings constructed adjacent to Roosevelt Road shall rise a minimum of one (1) story above West Roosevelt Road, shall include pedestrian entrance from West Roosevelt Road and shall otherwise be designed to promote an active pedestrian street level, avoiding large expanses of blank facades, and including transparent and/or display windows. Any such building with frontage along both West Roosevelt Road and South Wells Street shall, in addition to the entrance from the plaza area of the Property at the West Roosevelt Road grade level, provide an entrance at grade level from South Wells Street. One vehicle entrance and exit drive shall be permitted along West Roosevelt Road, the location and final geometry of which shall be subject to C.D.O.T. approval. A pedestrian transition from the West Roosevelt Road level to the South Wells Street level shall be included within any such building.
 - g. **Fencing.** Fencing materials facing all public streets and common open spaces shall be at least seventy percent (70%) transparent and no more than five (5) feet in height.
 - h. **Structures Along South Wells Street.** Structures that front along South Wells Street shall be located and designed to promote a pedestrian character on South Wells Street including, to the extent practical and/or feasible, avoiding large expanses of blank facades by incorporating front entries, windows and similar features into the South Wells Street facades of such structures. This requirement is in addition to the provisions of subsections a. through f. of this Statement Number 10.
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- i. Open Space.
 - (1) The Building Separation Zones depicted on the Subarea Plan shall be landscaped and improved in connection with adjacent development to provide appropriate pedestrian and vehicular access to adjacent development, streets and private drives. Such Building Separation Zones shall be open in appearance and shall include no buildings, fences or similar obstructions. Other than areas within the zones which are improved with plazas, roadways, walks, pedestrian furnishings, lighting, improvements typically associated with a right-of-way (including adjacent sidewalks, parkways and other improvements) and related items, the zones shall be landscaped with plant material and other landscaping materials.
 - (2) Except for the Subarea III park area, open space provided upon the Property shall be entitled to credit against otherwise applicable Open Space Impact Fees, if such open space satisfies the provisions of the Open Space Impact Fee Ordinance, Chapter 16-18 of the Chicago Municipal Code (the "Open Space Ordinance") and the provisions of the Open Space Impact Fee Administrative Regulations and Procedures (the "Open Space Regulations").
- j. Particular Uses. Freestanding telecommunications towers, because of their unique characteristics, shall be subject to additional review by the Department to establish that the impact of such use at a particular location is not significantly adverse to public health, safety or welfare.
- k. Public And Quasi-Public Improvements. Subject to Statement 10(1) below, prior to occupancy of any building or use of the Property, improvements necessary to serve or accommodate said building or use shall be in place and available for use. Said improvements shall be designed, constructed and installed in accordance with applicable City standards, laws and regulations subject to the approval of the appropriate City departments and agencies, as required, as well as in conformance with applicable state and federal standards, regulations and laws. Improvements necessary to serve uses or buildings on the Property are the following: (i) the public roadway improvements depicted on the Public Right-of-Way Improvement Plan and Intersection Improvement Plan (including pavement, required turn lanes, curbs

and gutters, traffic signals and sidewalks); (ii) the utilities necessary to provide potable water, sewer facilities, electric, gas, telephone and other private utility facilities and services to the Property; (iii) the streetscape improvements (including sidewalks, streetlights and street trees) depicted on the Conceptual Landscape/Streetscape Plan; and (iv) the Subarea III park area depicted on the Subarea Plan and Conceptual Landscape/Streetscape Plans.

- I. Schedule Of Public And Quasi-Public Improvements. The following specific improvements shall be completed within the time periods described below. A "Development Parcel" means that portion of the Property which is the subject of an application for Site Plan approval as described by Statement Number 11 of this Planned Development:
 - (1) The new construction of, or improvements to, South Wells Street, shall be completed no later than tenant or residential occupancy (i.e., opening of business as opposed to initial certificate of occupancy) of the first principal structure constructed upon any portion of Subareas I and II.
 - (2) The new construction of, or improvements to, West 9th Street and the forty (40) foot right-of-way between West Polk Street and West 9th Street, no later than tenant or residential occupancy of the first principal structure constructed upon any Subarea IV.
 - (3) The landscape and streetscape improvements shall, for and to the extent such improvements are contiguous to a Development Parcel, be completed no later than twelve (12) months following the later to occur: (a) tenant or residential occupancy of the last principal structure constructed upon said Development Parcel or (b) the City's substantial completion of the construction of South Wells Street, between West Polk Street and West 18th Street and West 9th Street, between South Wells Street and South Clark Street. Said improvements shall include both sides of any public roadway contiguous to said Development Parcel where both sides are located within the boundaries of this Planned Development.
 - (4) The landscaping improvements to the Subarea III park area shall be completed no later than twelve (12) months
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following the latest to occur: (a) tenant or residential occupancy of the last principal structure constructed upon any portion of Subarea I or Subarea II, but no later than five (5) years after approval of this amended Planned Development; or (b) substantial completion of the construction of West 9th Street, between South Wells Street and the Metra railroad tracks; or (c) substantial completion of the construction and installation of the sewer line between South Polk Street and South Taylor Street. Upon completion of said landscaping improvements, the Subarea III park area shall remain open to the public during those hours that similar parks owned and operated by the Chicago Park District remain open.

Applicant, Department and Chicago Park District ("Park District") heretofore have entered into an understanding regarding the design, construction, maintenance and funding of the Subarea III park area, the provisions of which were included in a letter to the Commissioner from Drew Friestedt on behalf of Roosevelt Road, L.L.C., dated May 19, 2006 ("Park Letter") and were acknowledged and accepted by the Commissioner. The Park Letter is incorporated by reference into, and made part of this Planned Development.

Nothing in this Statement Number 10 shall, or may be construed to, waive or in any way modify the conditions on applicant's obligations under the Park Letter nor any other rights or privileges the applicant may have arising under the Park Letter. In the event of any conflict between the provisions of this Statement Number 10 and the Park Letter, the latter shall govern.

Applicant may voluntarily dedicate to the City, the Chicago Park District or to another qualifying entity, title or a conservation easement in and to the Subarea III park area and the City, the Chicago Park District or other qualifying entity must accept such dedication. The City expressly acknowledges and agrees that such dedication would be entirely at the election of the applicant, that the applicant has not been required by the City to make such dedication and that such dedication would not be made by the applicant in return for any benefit or consideration from the City whatsoever.

In the event that the City, the Chicago Park District or other qualifying entity accepts dedication of title or conservation easement in and to the Subarea III park area, then notwithstanding any other provision of this Planned Development, the Net Site Area of the Property, for purposes of calculating maximum Floor Area Ratio, Minimum Lot Area Per Dwelling Unit and Overall Percentage of Site Coverage, shall be deemed to continue to include the area of said park so dedicated.

- (5) Notwithstanding the foregoing, if the City elects to perform the construction set forth in paragraph l(1) and l(2), then the schedule for completion of construction shall no longer be applicable.
11. Except with respect to Subareas I and II, for which site plan approval has been granted in connection with this amendment, prior to issuance by the Department of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance ("Part II approval") for any development of the Property, a Site Plan for proposed development shall be submitted to the Department for approval by the Commissioner of the Department of a site plan for such development ("Site Plan approval"). Site Plan approval is intended to assure that specific development proposals conform with this Planned Development and to assist the City in monitoring ongoing development. A Site Plan may be submitted for all or any part of the Property. Such Site Plan need only include the area within the Development Parcel, and required improvements described in Statement Number 10 above, for which approval is being sought by the applicant. No Part II approval for development with a Development Parcel upon the Property shall be granted until an applicable Site Plan has been approved.

Following approval of a Site Plan by the Commissioner of the Department, the Site Plan shall be kept on permanent file with the Department and shall be deemed to be an integral part of this Planned Development.

After approval of a Site Plan by the Commissioner of the Department, the approved Site Plan may be changed or modified pursuant to the provisions of Statement Number 12 of this Planned Development.

A Site Plan shall, at a minimum, provide the following information with respect to the proposed improvements within the boundaries of a Development Parcel and including any improvements required by this Planned Development not located within the Development Parcel:

- a. building elevations;
- b. footprint of the improvements;
- c. preliminary landscaping plan;
- d. information as necessary to demonstrate compliance with applicable City stormwater management requirements;
- e. pedestrian circulation;
- f. preliminary cross-sections of the improvements;
- g. statistical information applicable to the Development Parcel including floor area and floor area ratio, uses to be established, building heights and setbacks; and
- h. traffic impact analysis, if required by C.D.O.T.

A Site Plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of the Planned Development.

12. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department upon the request of the Applicant and after a determination by the Commissioner of the Department that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated herein. Such modifications include, but are not limited to, those specifically authorized by the other provisions of this Planned Development. Any such modification shall be deemed a minor change in the Planned Development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance.
 13. It is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. All applications for Site Plan approval shall conform to the requirements of the City's Building Green/Green Roof Policy Matrix as it exists at the time of application or any City ordinance that may supercede the Building Green/Green Roof Policy Matrix.
 14. It is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People
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with Disabilities ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance until the M.O.P.D. has approved detailed construction drawings for each building or improvement.

15. The Property is intended to be developed in phases extending over periods of time. This statement describes the schedule for commencement of development of those phases.
 - a. Initial Period. Unless substantial construction has commenced upon a minimum of two hundred fifty thousand (250,000) square feet of floor area within six (6) years of the effective date of this amended Planned Development, this Planned Development shall expire upon the sixth (6th) anniversary of the effective date hereof. If this Planned Development expires pursuant to the foregoing provision, the zoning of the Property shall automatically be classified as that of the DX-5 Zoning District.
 - b. Subsequent Periods. Unless substantial construction has commenced and been diligently pursued after the Initial Period on a minimum of five hundred thousand (500,000) square feet of floor area within ten (10) years of the effective date hereof, seven hundred fifty thousand (750,000) square feet of floor area within fifteen (15) years of the effective date hereof and one million (1,000,000) square feet of floor area within twenty (20) years of the effective date hereof (the "Subsequent Periods") the Department may decide to review and recommend modification of the provisions of this Planned Development in whole or in part. The Department's determination that the Planned Development ordinance must be reviewed and shall be reflected in an application filed by the City for a Planned Development amendment, with the City being deemed the applicant and providing such notice as may be required by law. Not less than thirty (30) days before filing any such application for amendment to the Planned Development, the Department shall provide the applicant with a copy of the draft application for amendment.
16. The applicant acknowledges that the operation of a children's day care facility may be a desirable component of a residential community. Accordingly, the developer of the first (1st) building to be built upon the Property, following construction of the five hundredth (500th) dwelling unit on the Property, which contains a minimum of two hundred fifty (250) dwelling units shall incorporate space suitable for day care purposes. Said

space shall be located on the ground floor, shall be proximate to an area of outdoor landscaped open space and shall otherwise be suitable for the establishment and operation of a day care facility. If the developer of the first (1st) building is the applicant, the applicant shall provide for space suitable for day care purposes within the Project and not specifically in the first (1st) building built following the five hundredth (500th) dwelling. The applicant shall make good faith efforts to market said space for rental or sale, as the case may be, to operators of day care facilities. If, after having marketed the day care space for at least thirty-six (36) months (including marketing prior to, during and after construction of the project), the space has not been rented or sold for the purpose of operation of a day care facility, the applicant may apply for a permanent waiver of this requirement under the minor change provisions of Statement Number 12 hereof. Said application shall include written documentation of the aforesaid marketing efforts. If the Commissioner determines that the marketing efforts have been undertaken in good faith, the Commissioner shall grant the permanent waiver.

17. The provisions of that certain Site Plan Approval letter from the Department Commissioner to Mr. David Riefman dated May 23, 2003 and consisting of one page is hereby incorporated by reference and made part of this Planned Development. The provisions of that certain Minor Change and Zoning Clarification letter from the Department Commissioner to Mr. David Riefman, dated May 22, 2003 and consisting of three pages is hereby incorporated by reference and made part of this Planned Development.
18. Notwithstanding any other provision of this Planned Development, applications for administrative modifications and/or amendments to this Planned Development (including without limitation minor changes and administrative adjustments) relating to any subareas (or any combination of them) shall not require the consent of any owners of the Property other than the owner or owner(s) of the subarea or subareas subject to such application.
19. The applicant will participate in City sponsored discussions, held from time to time, regarding the feasibility of properties that are located in the vicinity of the intersection of South Clark Street and West Roosevelt Road sharing parking areas with customers of retail businesses located proximate to said intersection.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Public Right-of-Way Adjustment Map; and Subarea Map referred to in these Plan of Development Statements printed on pages 95394 through 95398 of this *Journal*.]

Bulk Regulations and Data Table; Park Letter; Site Plan Approval Letter; and Minor Change and Zoning Clarification Letter referred to in these Plan of Development Statements read as follows:

Bulk Regulations And Data Table.

| | |
|---|---|
| Approximate Gross Site Area: | 1,159,737 square feet (26.62 acres) |
| Approximate Area To Remain in Public Right-of-Way: | 191,141 square feet (4.39 acres) |
| Net Site Area: | 968,596 square feet (22.24 acres) |
| Overall Property: | |
| Maximum Overall Floor Area Ratio: | 5.5 |
| Maximum Overall Percentage of Site Coverage: | 73.02%* |
| Maximum Building Height: | 380 feet, except as follows: (i) in that Low Height Zone depicted on subarea exhibit, the maximum height shall be as follows: adjacent to Clark Street: 15 feet or closer to Clark Street right-of-way: 55 feet more than 15 feet from Clark Street right-of-way: 120 feet (ii) with respect to the residential tower shown on the Site Plan on Subarea II, the maximum height shall be 500 feet |

* Site coverage may be exceeded if the criteria for minor changes in Statement 12 are satisfied.

| | |
|---|---|
| Maximum Overall Number of Dwelling Units: | 3.614 |
| Minimum Overall Lot Area per Dwelling Unit: | 200 square feet |
| Minimum Width of Building Separation Zone (depicted on Subarea Exhibit): | |
| South Zone: | 66 feet |
| Middle Zone: | 40 feet |
| Minimum Distance between Front or Rear Walls of Townhouses: | In accord with DX-5 requirements |
| Minimum Streetscape Dimensions: | |
| Between Face of Building and the Curb of the Adjacent Public Street or Private Drive: | 16 feet (except along Roosevelt Road where buildings may abut the property line; along private and interior drives, which shall be six feet; and along Clark Street which shall be 20 feet)** |
| Sidewalks Along Public Street or Private Drive: | 6 feet (but not required along the Metra tracks) |
| Parkway Planting Strip Adjacent to Sidewalk: | 5 feet except as depicted on an approved Site Plan (but not required along the Metra tracks) |

** Balconies, terraces, stairs, window bays and other such appurtenances may extend into this setback area, but not over sidewalk or planting strip areas.

| | |
|---|---|
| Carriage Walk Adjacent to Curb: | 1.5 feet (but not required along the Metra tracks) |
| Minimum Number of Parking Spaces for Residential, Office and Retail Uses: | |
| Residential Uses: | 1 per dwelling unit for first 50 dwelling units per subarea; 0.55 per dwelling unit for each additional dwelling unit per subarea |
| Office Uses: | 1.8 per 1,000 square feet |
| Retail Uses: | 0.4 per 1,000 square feet for 25,000 square feet and under per subarea; 2.5 per 1,000 square feet over 25,000 square feet per subarea |
| Minimum Number of Parking Spaces for Other Permitted Uses: | As required in DX-5 zoning district |
| Minimum Number of Loading Berths: | As required in DX-5 zoning district |
| Maximum Office Floor Area: | |
| Subareas I, II and IV: | 2,500,000 square feet aggregate |
| Subareas V, VI and VII: | 350,000 square feet aggregate*** |

*** Shall be increased to one million seven hundred fifty thousand (1,750,000) square feet if Clark Street is widened to six lanes between Polk Street and Roosevelt Road; shall be increased to two million (2,000,000) square feet if Clark Street is widened to six lanes between Polk Street and Roosevelt Road and either a Roosevelt Road/Wells Street ramp connection or a Wells Street/Wentworth connector is built.

Subareas.

| Subarea | Net Site Area | Coverage | Maximum Number Of Dwelling Units | Maximum Floor Area Ratio |
|--------------|---------------|----------|--|--------------------------|
| Subarea I | 228,036 | 100% | 1,000 (aggregate of Subareas I and II) | 6.39 |
| Subarea II | 129,082 | 100% | | 6.39 |
| Subarea III | 97,177 | 0%** | 0 | 0.00** |
| Subarea IV | 79,971 | 100% | 500 | 9.50 |
| Subarea V | 164,922 | 73% | 824 | 6.39 |
| Subarea VI | 109,422 | 66% | 600 | 6.39 |
| Subarea VII | 114,099 | 68% | 690 | 6.39 |
| Subarea VIII | 45,867 | 0% | 0 | 0.00* |
| Totals | 968,596 | 73.02% | 3,614 | 5.5 |

* Except for railroad and railroad right-of-way uses.

** As determined in Site Plan review.

Park Letter.

This Document Is Incorporated In Residential Business Planned
Development Number 523, As Amended, By
Reference In Statement Number 10.

May 19, 2006

Lori Healey
Commissioner
Department of Planning and Development
121 North LaSalle Street
Chicago, Illinois 60602

Re: Amendment to Residential-Business Planned
Development Number 523 ("P.D."); Park
Requirements.

Dear Commissioner Healey:

This letter summarizes the agreement between Roosevelt Collection, L.L.C. ("Developer") and the City regarding the park to be constructed in Subarea III pursuant to the P.D.. The following are the agreed upon requirements:

- I. If warranted by the results of the Developer's Phase I and Phase II assessments, the park parcel will be remediated to the Illinois Environmental Protection Agency ("I.E.P.A.") TACO Tier I Residential standards through the I.E.P.A.'s voluntary remediation program. It is acknowledged that such remediation may be accomplished through use of an engineered barrier. If the level or type of remediation requires the Developer to obtain a N.F.R. letter, the Developer shall obtain and record such N.F.R. letter at the City's request. If the City desires to remediate to a higher standard than required by the I.E.P.A.. as a result of the final park design or otherwise, the City shall pay all additional costs of such remediation.
- II. The park parcel will be a separate ownership parcel. At its election, the Developer may voluntarily dedicate the park to the City, the Chicago Park District or to another qualifying entity, or to establish a conservation easement over the park.

- III. The park parcel shall be utilized as open space for use by the public for and on behalf of the City. Developer shall not restrict access to the park parcel by the public during the hours of operation of the park parcel (6:00 A.M. -- 11:00 P.M.) and furthermore, shall not discriminate based upon race, color, religion, sex, national origin or ancestry, military status, sexual orientation, source of income, age, handicap, in the use of the park parcel by the public. The City and the Developer shall cooperate with respect to any special event planning for the park.
- IV. In the condominium and retail documents, the Developer will require the retail owners and/or tenants, and may elect to require the residential owners to pay for maintenance, repair and on-going capital improvements to the Grand Staircase. If the park parcel is transferred to the City or the Chicago Park District, that government agency shall be responsible for all other maintenance and capital improvements, including, without limitation, landscaping, hardscape surfaces (except the Grand Staircase) park fixtures, and removal of snow, leaves, litter, trash, debris and other waste materials. In the event the park parcel is not dedicated to the City or the Chicago Park District, then the Developer will be responsible for all of the aforementioned maintenance and capital improvements.
- V. The Developer shall pay up to Two Million and no/100 Dollars (\$2,000,000.00) in hard and soft costs incurred to develop the park (excluding the cost of the Grand Staircase) and will pay for remediation to I.E.P.A. TACO Tier I Residential standards. If the remediation and design process yields a development and remediation cost in excess of Two Million Two Hundred Fifty Thousand and no/100 Dollars (\$2,250,000.00), the Developer and the City will work together to reduce the scope of the park design. Development of the park will occur within one (1) year after the later to occur: (a) tenant or residential occupancy of the last principal structures constructed upon any portion of Subarea I or Subarea II, but no later than five (5) years after approval of amended P.D.; or (b) substantial completion of the construction of 9th Street, between Wells Street and the Metra railroad tracks; or (c) substantial completion of the construction and installation of the sewer line between Polk Street and Taylor Street.
- VI. The Developer will be responsible for paying impact fees as outlined by the Open Space Impact Fee administrative regulations and procedures.
- VII. The park development costs do not include curbs, gutters, parkway sidewalk and parkway and street lighting in the 9th Street and Wells Street public rights-of-way adjoining the park parcel. These improvements shall be installed and paid for by the City when the respective street improvements are installed.

- VIII. The park design process will be lead jointly by the Chicago Park District and the Developer, using the Developer's proposed design as the starting basis. The Chicago Park District will provide specifications for all capital improvements, except the Grand Staircase. Maintenance and capital improvement standards shall be consistent with Park District standards in other public parks. Responsibilities for maintenance and capital improvements shall be as set forth in Section IV above.
- IX. The developer will build out the park per a design approved by the Chicago Park District (subject to Sections V, VII and VIII above).
- X. The Grand Staircase as designed will encroach upon the park parcel. Therefore, the Park District shall enter into a long term use agreement with the owners of the Grand Staircase, similar to use agreements utilized by the Park District for other substantial improvements constructed on Park District land. Such agreement shall not require any compensation to be paid to the Park District for use of the land.
- XI. The Grand Staircase shall be utilized as open space for use by the public for and on behalf of the City. Developer shall not restrict access to the Grand Staircase by the public during the hours of operation of the Grand Staircase (6:00 A.M. -- 11:00 P.M.) and furthermore, shall not discriminate based upon race, color, religion, sex, national origin or ancestry, military status, sexual orientation, source of income, age, handicap, in the use of the Grand Staircase by the public.

Sincerely,

Roosevelt Collection, L.L.C.

By: (Signed) Drew Friestedt

Name: Drew Friestedt

Vice President of
Its: Development

Please indicate the City's agreement to this letter by executing below and returning the original executed copy to me.

12/13/2006

REPORTS OF COMMITTEES

95389

Agreed to and Accepted as of the date
first written above.

By: (Signed) Lori T. Healey

Name: Lori T. Healey

Commissioner of Planning
Its: and Development

Site Plan Approval Letter.

This Document Is Incorporated In Residential Business
Planned Development Number 523, As Amended By
Reference In Statement Number 17.

May 23, 2003

Mr. David Reifman
Piper Rudnick
203 North LaSalle Street, Suite 1800
Chicago, Illinois 60601-1293

Re: Site Plan Approval for Residential-Business Planned Development
Number 523, As Amended (LaSalle Park), Subarea 5.

Proposal: The construction of a two (2) story, one-hundred seventy-nine
thousand, eight-hundred eleven (179,811) square foot commercial
building and a three (3) story parking facility which contains four
hundred ten (410) parking spaces.

Location: The property located at the northwest corner of Roosevelt Road and
Clark Street.

Dear David:

We have reviewed the Site Plan Landscape Plan and Building Elevation Plans
submitted by you for the construction of a two (2) story, one-hundred seventy-nine
thousand, eight-hundred eleven (179,811) square foot commercial building and a
three (3) story parking facility which contains four-hundred ten (410) parking
spaces within Subarea 5 of the Planned Development area. These plans prepared
by RSP Architects dated April 18, 2003, are submitted in accordance with

Statement Number 12 of Residential-Business Planned Development Number 523, as amended, and the Administrative Relief granted May 22, 2003.

Upon review of the material submitted, the Department of Planning and Development has determined that these plans are consistent with and satisfy the requirements of the Plan of Development. Accordingly, this Site Plan submittal for Residential-Business Planned Development Number 523, Subarea 5, for the construction of a two (2) story, one-hundred seventy-nine thousand, eight-hundred eleven (179,811) square foot commercial building and a three (3) story parking facility which contains four hundred ten (410) parking spaces and five (5) loading berths, is hereby approved as conforming to the Plan of Development as amended and passed by the Chicago City Council on January 20, 1999.

Very truly yours,

Alicia Mazur Berg,
Commissioner

c.c. Jack Swenson, Ed Kus, Philip Levin, Tim Bleuher, Michael Marmo, Terri Texley

Minor Change And Zoning Clarification Letter.

This Document Is Incorporated In Residential Business
Planned Development Number 523, As Amended By
Reference In Statement Number 17.

Target Corporation
In care of David L. Reifman, Esq.
Piper Rudnick
203 North LaSalle Street
Chicago, Illinois 60601

Re: Request for Zoning Clarification and Minor Change to Residential-Business
Planned Development Number 523 (LaSalle Park) regarding Subarea V, as
adjusted.

Dear Mr. Reifman:

Please be advised that the Department of Planning and Development has

considered your requests for: (A) clarification and confirmation of development rights and obligations under Residential-Business Planned Development Number 523, as amended ("R.B.P.D. Number 523"); and (B) certain minor changes pursuant to Statement Number 13 of R.B.P.D. Number 523 and Section 11.11-3(c) of the Chicago Zoning Ordinance with respect to R.B.P.D. 523.

Specifically, you have indicated that Target Corporation, a Minnesota corporation or its successors and/or assigns ("Target") proposes to acquire and develop Subarea V of R.B.P.D. Number 523 (as further defined below, "Subarea V") in conformity with the Site Plan Landscape Plan and Building Elevation Plans submitted by RSP Architects, dated April 18, 2003 (collectively, the "Target Store Plans").

As used herein, the term "Subarea V" shall mean Subarea V of R.B.P.D. Number 523 with the adjusted northerly boundary depicted on the Site Plan submitted by RSP Architects, dated April 18, 2003. "Property" shall refer to the overall Property within the boundaries of R.B.P.D. Number 523. The term "Balance Property" shall refer to all portions of the Property other than Subarea V. The term "Southerly Business Separation Zone" shall refer to the most southerly of the three (3) business separation zones referenced in R.B.P.D. Number 523 within the Property (as adjusted to conform to the expanded boundaries of Subarea V), the south half of such Southerly Business Separation Zone being the most northerly thirty-three (33) feet of (expanded) Subarea V.

A. Zoning Clarifications.

Development Rights For Subarea V. You have requested certain clarifications and confirmations regarding an allocation of development rights for Subarea V. In accordance with the applicable provisions of R.B.P.D. Number 523, the following development rights shall be permitted in and allocated to Subarea V, provided that Target shall not be obligated to use all or any portion of the described rights:

- i. maximum floor area ratio of 6.39; and
- ii. one (1) curb cut along Clark Street of the three (3) curb cuts contemplated by Statement Number 10(c) of R.B.P.D. Number 523.

Development Conditions For Subarea V. Statement Number 11 of R.B.P.D. Number 523 provides that prior to occupancy of any building or use of the property within R.B.P.D. Number 523, improvements "necessary to serve or accommodate said building or use shall be in place and available for use". Subsections (a) and (b) of Statement Number 11 describe certain specific

improvements within R.B.P.D. Number 523 and the phasing for such improvements. We acknowledge and confirm that Statement Number 11 shall only require Target to: (i) install those public improvements, if any, required pursuant thereto within the boundaries of Subarea V (including, as applicable, the roadway improvements in the southerly half of the Southerly Business Separation Zone located within Subarea V); and (ii) install the roadway improvements on the northerly half of the Southerly Business Separation Zone. (In addition, although not set forth in Statement Number 11, by separate correspondence, Target has agreed to reimburse the City for the costs of the three way traffic signal to be located on Clark Street at Station 206+25 approximately 625 feet north of Roosevelt Road at the entrance to the Southerly Business Separation Zone). We further acknowledge and confirm that Target shall have no obligation to contribute to the payment of or to undertake the construction of any of the other public or private improvements to be constructed on the Property or within adjacent rights-of-way, including but not limited to the Property's other two (2) business separation zones, the City's Open Space Impact Fee or the Subarea II park area, the Tunnel, Clark Street or Roosevelt Road improvements.

In addition, we acknowledge and confirm that any violations of the provisions of R.B.P.D. Number 523 relating to the Property or the Balance Property shall not be deemed to be violations by Subarea V or by Target and shall not trigger a revocation of R.B.P.D. Number 523 or other penalty with respect to Subarea V. The foregoing shall apply to all of the Statements of R.B.P.D. 523, including but not limited to Statement Number 6 (signage), 7 (roadways), 8 (building heights), 9 (floor area ratio), 10 (site design), 11 (site improvements), 16 (phasing), 17 (residential dwelling unit types), and 18 (children's day care facility).

Zoning Control Party. Upon its acquisition thereof, Target shall be the "zoning control party" for Subarea V.

B. Minor Changes.

With regard to Target's request for Minor Changes, the Department of Planning and Development has determined that the following two (2) modifications each constitute a minor change pursuant to Section 11.11-3(c) of the Chicago Zoning Ordinance. Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance, I hereby approve the following two (2) minor changes, but no other changes to R.B.P.D. 523.

Maximum Percentage Of Site Coverage. Notwithstanding the terms and provisions of the Bulk Regulations and Data Table, the Maximum Percentage of Site Coverage Ratio for Subarea V shall be seventy-three

percent (73%). In furtherance of the foregoing, and notwithstanding the terms of Statement Number 2 which may be to the contrary, the Net Site Area of Subarea V shall be deemed to be one hundred sixty-four thousand nine hundred fifteen (164,915) square feet for the purpose of calculating Percentage of Site Coverage (i.e., the Net Site Area of Subarea V shall not be deemed to be reduced by the area along its easterly side, if any, that may be dedicated as public right-of-way to expand Clark Street, currently anticipated to be approximately two thousand seven hundred ninety-five (2,795) square feet).

Minimum Streetscape Dimensions. Notwithstanding the terms and provisions of the Bulk Regulations and Data Table, the Minimum Streetscape Dimensions for Subarea V (including but not limited to those Minimum Streetscape Dimensions relating to Private Drives, Roosevelt Road and Clark Street) shall be as depicted in the Target Store Plans.

The matters contained in this letter shall inure to the benefit of Target from and after its acquisition of Subarea V.. Except as set forth in the foregoing provisions of this letter, Target has indicated that its proposal for Subarea V will conform with the requirements of R.B.P.D. 523 in all other respects.

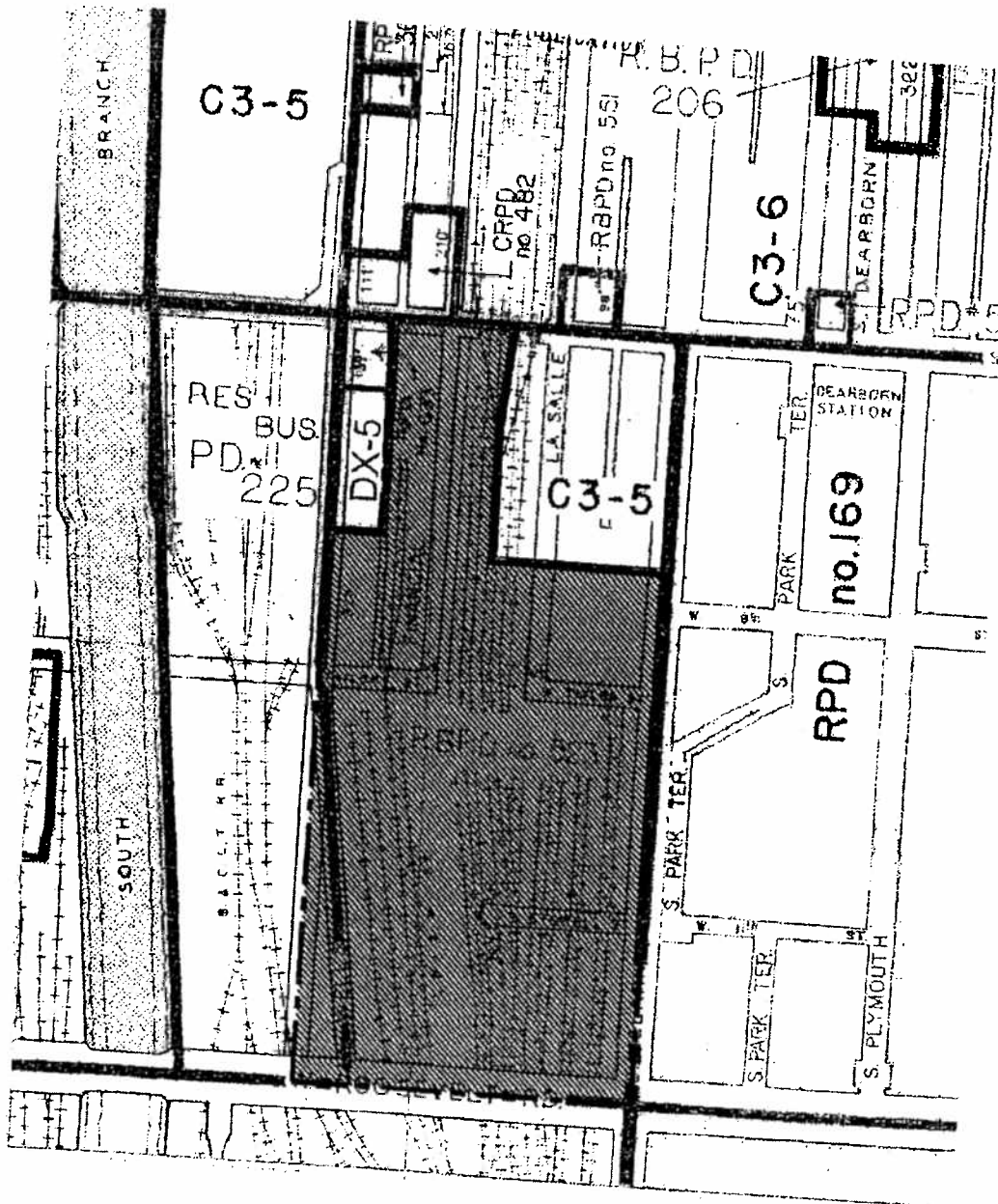
Please note that Part II approval by the Department of Planning and Development is still required for Subarea V. Subject to Department confirmation that submitted plans conform to R.B.P.D. 523, the provisions of this letter and any other approved administrative changes, the Department would grant interim approvals prior to Part II approval, including foundation, caisson, and superstructure with subsequent construction occurring at Target's own risk.

Very truly yours,

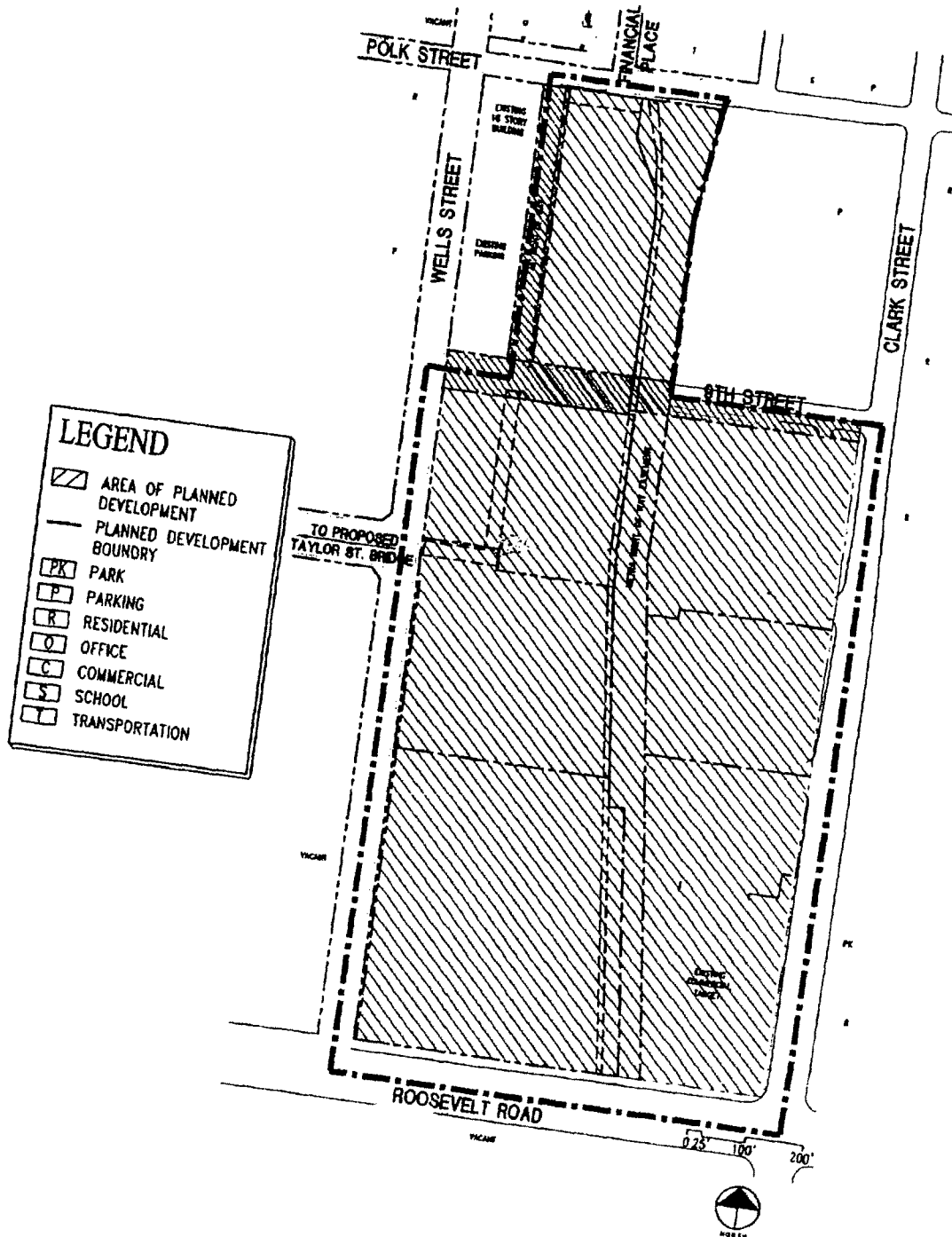
Alicia Mazur Berg,
Commissioner

c.c: Jack Swenson, Philip Levin, Miguel D'Escoto, Edward Kus

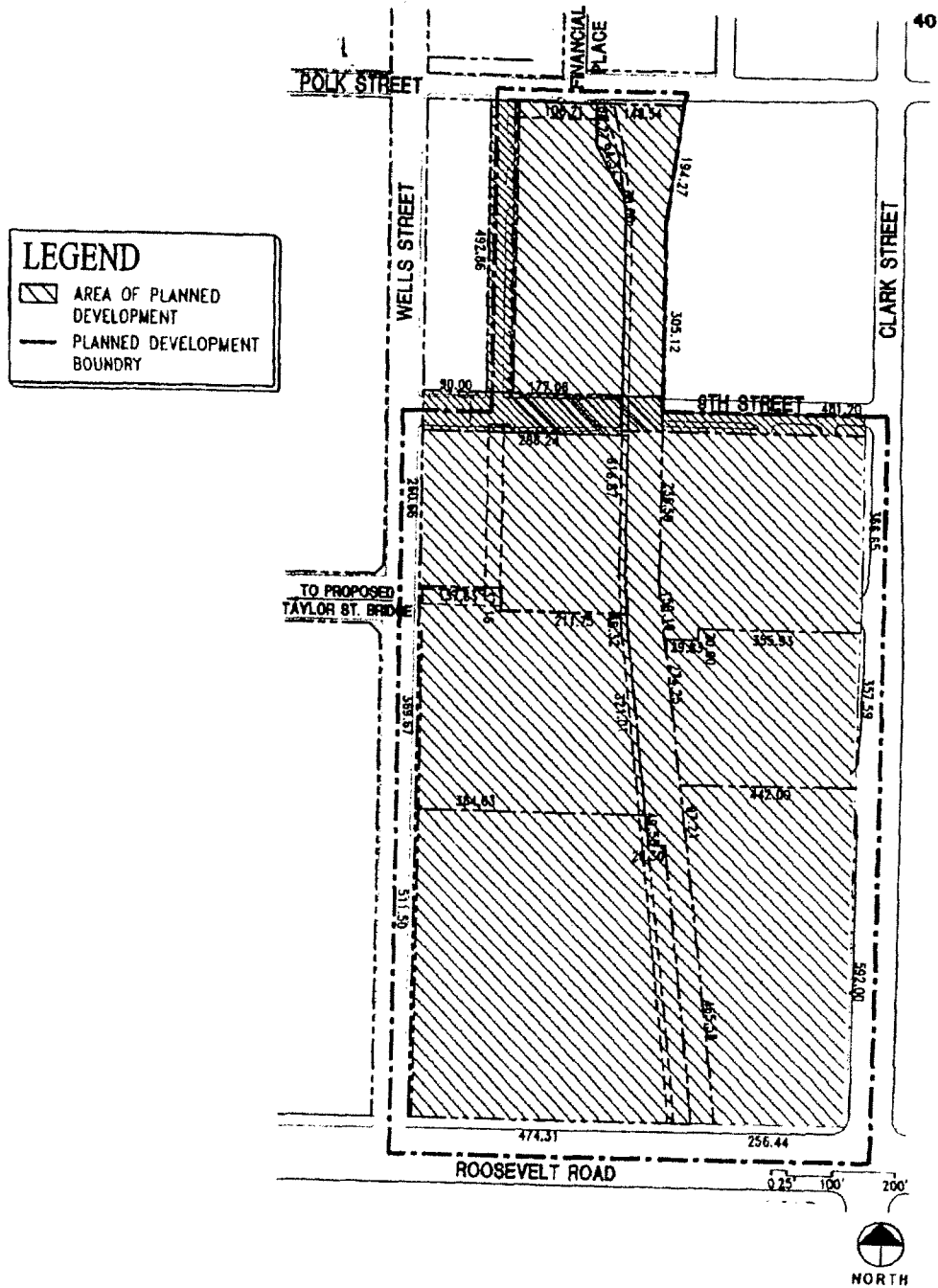
Existing Zone Map.



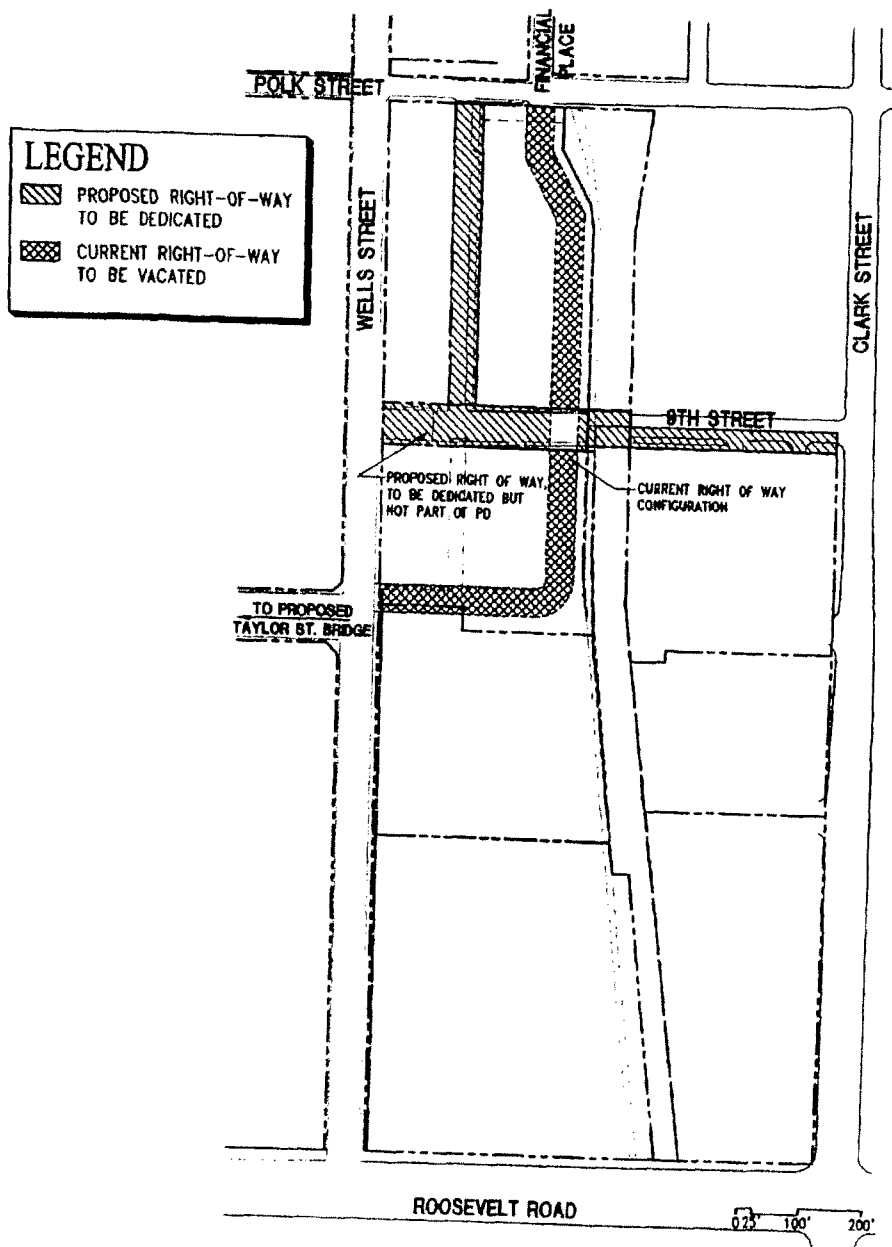
Existing Land-Use Map.



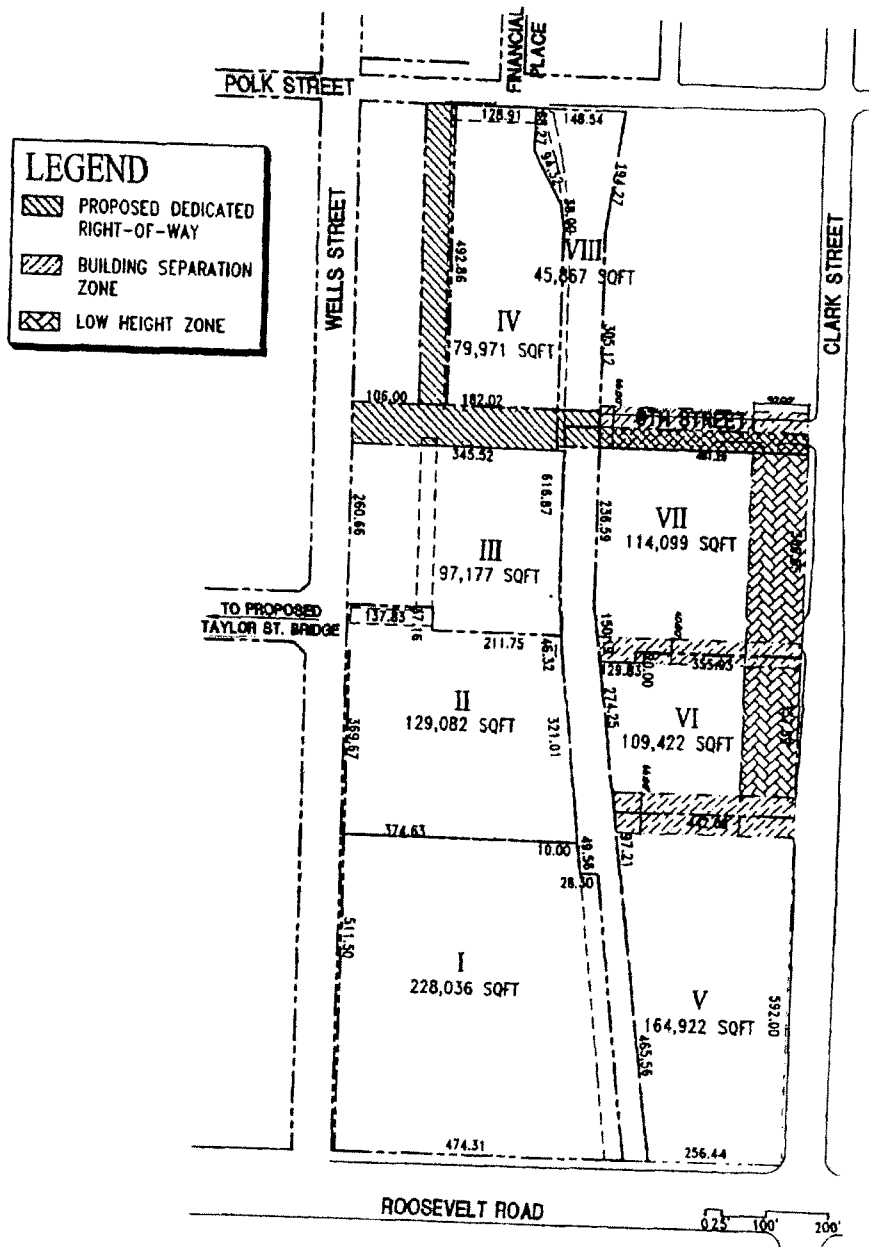
Planned Development Boundary
And Property Line Map.



Public Right-Of-Way
Adjustment Map.



Subarea Map.



On motion of Alderman Banks, the said proposed substitute ordinances transmitted with the foregoing committee report were *Passed* by yeas and nays as follows:

Yeas -- Aldermen Flores, Haithcock, Preckwinkle, Hairston, Lyle, Beavers, Stroger, Beale, Pope, Baker, Cárdenas, Olivo, T. Thomas, Coleman, L. Thomas, Murphy, Rugai, Troutman, Brookins, Muñoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Reboyras, Suarez, Matlak, Mell, Austin, Colon, Banks, Mitts, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Tunney, Levar, Shiller, Schulter, M. Smith, Moore -- 47.

Nays -- None,

Alderman Beavers moved to reconsider the foregoing vote. The motion was lost.

Alderman Burke invoked Rule 14 of the City Council's Rules of Order and Procedure, disclosing that he had represented parties to these ordinances in previous and unrelated matters.

The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):

Reclassification Of Area Shown On Map Number 2-F.
(As Amended)
(Application Number 14080)

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Residential-Business Planned Development Number 523, as amended, and M2-5 General Manufacturing District symbols as shown on Map Number 2-F in the area bounded by:

West Polk Street; South Clark Street; a line 497.43 feet south of the south line of West Polk Street; a line 332.64 feet west of the west line of South Clark Street, traveling northeasterly, which ends at a point 305.12 feet north of the aforesaid line 497.43 feet south of the south line of West Polk Street and approximately 79 feet west of the west line of vacated South LaSalle Street; and a line starting from the end of the last described point proceeding in a northeasterly direction 194.27 feet to a point in the south line of West Polk Street 306.29 feet west of the west line of South Clark Street,

to those of a C3-5 Commercial-Manufacturing District.

12/17/2003

REPORTS OF COMMITTEES

14081
16181

SECTION 2. This ordinance takes effect after its passage and approval.

Reclassification Of Area Shown On Map Number 2-F.
(As Amended)

(Application Number 1408 1) RBP0523

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the Residential Business Planned Development Number 523, as amended, symbols and indications as shown on Map Number 2-F in the area bounded by:

West Polk Street; a southwesterly line (194.27 feet long) starting on the south line of West Polk Street at a point 148.54 feet east of the east line of newly dedicated South Financial Place and ending at a point 194.27 feet south of the south line of West Polk Street and 79 feet more or less west of the centerline of vacated South LaSalle Street; a line 332.69 feet more or less west of the west line of South Clark Street; a line 497.43 feet south of the south line of West Polk Street; South Clark Street; West Roosevelt Road; newly dedicated South Wells Street; the newly dedicated alley next north of newly dedicated West Taylor Street; and the alley next east of South Wells Street,

to those of Residential Business Planned Development Number 523, as amended, which is hereby established in the area described above subject to such use and bulk regulations as are set forth in the Plan of Development attached hereto and to no others.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the Residential Business Planned Development Number 523, as amended, symbols and indications as shown on Map Number 2-F in the area bounded by:

West Polk Street; the centerline of vacated South LaSalle Street; a line 258.50 feet south of the south line of West Polk Street; a line 90 feet west of the west line of South Clark Street; a line 398.04 feet south of the south line of West Polk Street; South Clark Street; a line 497.43 feet south of the south line of West Polk Street; a line 332.64 feet west of the west line of South Clark Street, traveling northeasterly, which ends at a point 305.12 feet north of the aforesaid line 497.93 feet south of the south line of West Polk Street and approximately 79 feet west of the west line of vacated South LaSalle Street; and a line starting

from the end of the last described point proceeding in a northeasterly direction 194.27 feet to a point in the south line of West Polk Street 306.29 feet west of the west line of South Clark Street.

to those of a C3-5 Commercial Manufacturing District.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

*Residential Business Planned Development
Number 523. As Amended.*

Plan Of Development Statements.

1. The area delineated herein as Residential-Business Planned Development (the "Planned Development") consists of approximately nine hundred forty thousand four hundred fiftyfour (940,454) square feet (twenty-one and fifty-nine hundredths (2 1.59) acres), Net Site Area which is depicted on the attached Planned Development Boundary and Property Line Map (the "Properly"). The Property is owned or controlled by Clark/Taylor, L.L.C., The Target Corporation and Allright Corporation (collectively, the "Owners"). Clark/Taylor, L.L.C. ("Applicant") has submitted its application with the consent of all of the Owners.
2. The Applicant shall obtain all official reviews, approvals and permits necessary to implement the development of the Property. Any dedication or vacation of streets or alleys or easements or any adjustment of rights-of-way depicted on the Right-of-Way Adjustment Map shall require a separate submittal on behalf of the Applicant and approval by the City Council. Any areas to be dedicated shall be excluded and any areas to be vacated shall be included in determining the Net Site Area (as said term is defined by the Chicago Zoning Ordinance) of this Planned Development.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if

different than the Applicant, the legal titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this Statement shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessors of the Property. Provided, however, that where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" or "legal title holder" shall be deemed to refer solely to the condominium association of the owners or legal title holders of such portions of the improvements and not to the individual unit owners therein. An agreement among property owners, the board of directors of any property owners association, or a covenant binding property owners, may designate the party or parties authorized to make application for any future amendment, modification or change with respect to all or any portion of the Property. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term Applicant shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder.

4. This Planned Development consists of: twenty (20) Planned Development Statements; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Right-of-Way Adjustment Map; a Subarea Plan; a Landscape/Streetscape Plan; a Conceptual Streetscape Section; a Public Right-of-Way Improvement Plan; a Public Intersection Improvement Plan; a Polk Street Pedestrian Improvements Plan; a Signage Standards Exhibit; a Building Signage Diagram; and a Bulk Regulations and Data Table. The Planned Development is applicable to the area delineated herein and these and no other controls shall apply. References to the Chicago Zoning Ordinance and other provisions of the Municipal Code shall mean those provisions in effect as of the date of this Planned Development. The Planned

Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a Planned Development.

5. The area within the Planned Development boundaries is divided into eight (8) subareas as indicated on the Subarea Plan. The following uses shall be permitted within all subareas except Subarea II:

dwelling units, business and professional offices, hotels and motels, retail and commercial uses, any use permitted in the B4-4 zoning district (except auto service stations and motor vehicle service/repair garages), railroads, railroad rights-of-way, open space and parkuses, playgrounds, golf courses, tourist homes and lodging houses, hospitals, housing and assisted living facilities for elderly persons, indoor and outdoor athletic and recreational facilities, indoor and outdoor entertainment related uses, accessory and nonaccessory off-street parking, restaurants and taverns including live entertainment and dancing, telecommunication antennae and facilities, theaters, day care centers, colleges, universities, schools of any type, churches, libraries, home occupations, philanthropic and eleomosynsryuses and accessory uses; provided, however, no single floor of any single building shall be occupied by both residential and nonresidential uses, except as permitted by the Home Occupation provisions of the Chicago Zoning Ordinance.

The following uses shall be permitted within Subarea II: publicly available open space, park uses and facilities, playgrounds, outdoor athletic and recreational uses, outdoor entertainment and related uses and facilities.

6. Business and business identification signs and temporary signs, such as construction marketing signs, are permitted upon the Property subject to the review and approval of the Department of Planning and Development (the "Department"). Advertising signs shall not be permitted. Business signs consistent with the **Signage** Standards Exhibit and Building **Signage** Diagram are permitted. No business signs shall be permitted within Subarea II of the Property.
7. Any private roadway or any other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation and in compliance with the Municipal Code of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago. Vehicular ingress and egress shall be subject to the review and approval by the Bureau of Traffic

Engineering and Operations of the Department of Transportation and by the Department. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. A continuous sidewalk shall be provided along all private streets (except along the Metra side of a public or private street) as necessary to assure pedestrian access between all development located along said private streets and the public way.

8. The height of each building and free-standing structure located upon the Property and any appurtenances attached thereto, shall be subject to the Bulk Regulations and Data Table as well as any height limitations established by the Federal Aviation Administration.
9. For purposes of maximum floor area ratio ("F.A.R.") calculations, the definition contained in the Chicago Zoning Ordinance shall apply; provided, however, that (i) floor area within an office building devoted to mechanical equipment which exceeds five thousand (5,000) square feet in any single location shall not be included and (ii) floor area devoted to accessory off-street parking shall not be included. Transfer of floor area from one (1) Subarea to another may be approved by the Department if it meets the criteria for minor changes set forth in Statement Number 13 hereof.
10. The improvements on the Property shall be designed, constructed and maintained in general conformance with the plans and exhibits set forth in Statement Number 4.

In addition, the development of the Property shall be subject to the following:

- a. Parking. Off-street parking shall be provided upon the Property in accordance with the provisions of this statement and the Bulk Regulations and Data Table and shall also be subject to the standards set forth below:
 - (1) Interim outdoor, at-grade, off-street parking existing on the Property on the date of this amended Planned Development may be maintained as is for a period not to exceed five (5) years; provided, however, that the Commissioner may authorize the continuation of such interim parking for

additional periods where deemed appropriate. Any new interim outdoor, at-grade, offstreet parking shall be located, landscaped and maintained in a manner consistent with the vehicular use area landscaping and screening provisions of the Chicago Zoning Ordinance and associated regulations.

- (2) Permanent, at-grade, off-street parking which is visible from a public right-of-way is permitted subject to the following limitations. Such parking shall be set back at least twenty (20) feet from any adjacent public right-of-way. Such setback shall be bermed to a height of at least two (2) feet above the grade of the adjacent sidewalk and shall be landscaped with one (1), two and one-half (2%) inch caliper tree for every twenty-five (25) feet of frontage along the public way, shrubs and ground cover to provide a continuous screen of at least two and one-half (2%) feet in height total, including the berm, so as to substantially screen the parking lot from view from the adjacent right-of-way. In addition to appropriate landscaping, a decorative fence a minimum of four (4) feet high shall be constructed along the top of the berm to further enhance the screening of the adjacent parking. In lieu of the screening described above, the Department may approve an alternative treatment including, but not limited to, vine-covered fences or trellises, structural walls or screens upon a finding that such alternative treatment would:
 - (a) provide an effective visual screen of the parking areas and parked automobiles;
 - (b) promote the physical definition of a continuous street wall;
 - (c) provide a visual effect which promotes and enhances the vehicular and pedestrian experience through the use of quality architectural and urban design; and
 - (d) be appropriately designed and maintained to satisfy applicable building and/or landscape industry standards.
- (3) Off-street parking required to serve uses developed on the

Property shall be located on the same side of the Metra tracks as the use served. For residential uses, parking shall be located within six hundred (600) feet walking distance of the residential use served. Parking required to serve non-residential uses shall be located within one thousand five hundred (1,500) feet walking distance of the non-residential use served.

- (4) The Applicant is encouraged to conceal parking structures either by fronting them with habitable space or by enclosing the openings with glazing. Where the exterior walls of any parking structure face or will be substantially visible from a public right-of-way, such walls shall be designed and detailed to be similar in appearance to habitable spaces above, adjacent, or in the vicinity of the garage. Such similar design elements shall include, but not be limited to: materials, size, shape, number, and pattern of window openings, cornices, moldings, reveals, sills and other decorative surface treatments. Glazing at window openings is strongly encouraged. Window frames, metal screens or other decorative screening devices should be considered where glazing is not utilized. Ramps, cars and headlights shall be entirely screened and ceiling lights shall be substantially screened from view from pedestrians on the public way and from adjacent residential units.

Where parking structures are located in a building with one hundred (100) or more feet of frontage which fronts on Clark Street, Wells Street or Roosevelt Road, a minimum of twenty percent (20%) of the linear distance of said frontage shall be occupied by active uses. Active uses shall include lobbies, entry areas and passageways, elevator and stair areas, retail, services, restaurants, amusement establishments and institutional or cultural uses. A minimum of seventy-five percent (75%) of the linear distance of said required active use shall be glazed with clear glazing between two (2) feet, six (6) inches and eight (8) feet, zero (0) inches above the sidewalk level. Access to parking structures may be located along any public or private street.

The following design features are strongly encouraged wherever feasible: setback of parking structures above ground floor retail with roof top planting terraces.

The location of driveways serving any freestanding parking structure which contains more than seven hundred fifty (750) non-accessory parking spaces shall be subject to the review and approval of the Department of Transportation. In that connection, the Department of Transportation may request traffic impact data or analyses.

- b. Loading. Off-street loading shall be provided upon the Property in accordance with this statement and with the Bulk Regulations and Data Table. All loading required by this Planned Development shall be located proximate to the building or use served. No unenclosed loading areas shall be located facing Wells Street, Clark Street or the Subarea II park. The view of loading areas from other public streets shall be minimized through the use of landscaping and fencing.
- c. Curb cuts. Private roadways, driveways, entrances to off-street parking and to loading docks, openings for vehicular drop-offs and all other facilities requiring curb cuts shall be located to minimize conflicts with on-street traffic and with pedestrian circulation. Any required street tree removed or made infeasible due to location of a curb cut for a loading dock shall be provided elsewhere upon the Property. No curb cut shall be located along the boundaries of the Subarea II park area or within fifty (50) feet of any other curb cut. All curb cuts shall be constructed in accordance with the standards of the City of Chicago. No more than two (2) curb cuts for roadways shall be located along Clark Street. Vehicular drop-off areas along Clark Street shall be subject to C.D.O.T. approval.
- d. Landscaping.
 - (1) Except with respect to the parkways along the east side of South Financial Place, parkway trees shall be installed and maintained in the public right-of-way adjacent to any development of the Property in accordance with the parkway tree planting provisions of the Chicago Zoning Ordinance and associated regulations. Open areas of the Property not otherwise devoted to permitted buildings, parking areas or pedestrian/vehicular circulation areas shall be landscaped to enhance the appearance of the development from the public street, to screen unattractive uses from the street and to provide buffers between adjacent uses. In connection with residential uses, adequate and

appropriately designed open space shall be provided in the form of gardens, landscaped areas, children's play lots, playgrounds, and above-grade open space facilities (such as roof decks). Landscaping shall consist of grass, ground cover, shrubs, trees or other living plant materials. All landscaping shall be properly maintained at all times. Street trees shall be located in continuous raised planters. The areas along and adjacent to the Metra embankment: (i) shall be fenced, as and to the extent, depicted on the Conceptual Streetscape Section; and (ii) notwithstanding the second sentence of this subsection d. (1) above, shall not be required to be landscaped with trees or other landscaping features that would obstruct, or otherwise restrict the configuration of, permitted buildings, parking or loading areas, private drives or would be inconsistent with the Applicant's rights and obligations in the ten (10) foot wide Metra maintenance easement area.

- (2) Prior to development in accordance with an approved Site Plan, open areas of the Property shall be maintained with grass; provided, however, that the following areas shall not be subject to this requirement: existing parking areas, roadways and other paved areas; areas occupied by existing foundations or other impediments to the growth of grass; areas occupied by the Metra facilities; existing public rights-of-way; and areas subject to covenants, easements or other restrictions inconsistent with the maintenance of grass. The initial planting of the grass where required shall be completed no later than one (1) year following adoption of this Planned Development.

- e. Building Design And Exterior. The exterior walls of any structure, including walls and fences, facing or visible from the public way shall be designed and constructed to avoid a monotonous and blank appearance through the use of texture and detail, windows, openings, projections, recesses, offsets, variations to the parapet wall, variations in type or color of materials or other architectural devices. The following design features are strongly encouraged wherever feasible: awnings; retail, office uses, lobby space or similar active uses at ground level; orientation and configuration of buildings located proximate to the south and east boundaries of

the Subarea II park area to enhance sunlight onto the Subarea II park area; and cornice lines and other architectural devices to enhance pedestrian scale.

- f. Roosevelt Road Building Orientation And Entrances. Except for improvements for which site plan approval has been issued as of the effective date hereof, all buildings constructed adjacent to Roosevelt Road shall rise a minimum of one (1) story above Roosevelt Road, shall include pedestrian entrance from Roosevelt Road and shall otherwise be designed to promote an active pedestrian street level. Any such building with frontage along both Roosevelt Road and Wells Street shall, in addition to the entrance from Roosevelt Road, provide an entrance at grade level from Wells Street. One (1) curb cut shall be permitted along Roosevelt Road, the location of which shall be subject to C.D.O.T. approval. A pedestrian transition from the Roosevelt Road level to the Wells Street level shall be included within any such building.
- g. Fencing. Fencing materials facing all public streets and common open spaces shall be at least seventy percent (70%) transparent and no more than five (5) feet in height.
- h. Structures Along Wells Street. Structures that front along Wells Street shall be located and designed to promote a pedestrian character on Wells Street including, to the extent feasible, avoiding large expanses of blank facades by incorporating front entries, windows and similar features into the Wells Street facades of such structures. This requirement is in addition to the provisions of Sections (a) through (g) of this Statement Number 10.
- i. Open Space.
 - (1) The Building Separation Zones depicted on the Subarea Plan shall be landscaped and improved in connection with adjacent development to provide appropriate pedestrian and vehicular access to adjacent development, streets and private drives. Such Building Separation Zones shall be open in appearance and shall include no buildings, fences or similar obstructions. Other than areas within the zones which are improved with plazas, roadways, walks, pedestrian furnishings, lighting, improvements typically associated with a right-of-way (including adjacent

sidewalks, parkways and other improvements) and related items, the zones shall be landscaped with plant material and other landscaping materials.

- (2) Open space provided upon the Property shall be entitled to credit against otherwise applicable Open Space Impact Fees, if such open space satisfies the provisions of the Open Space Impact Fee Ordinance, Chapter 16- 18 of the Chicago Municipal Code (the "Open Space Ordinance") and the provisions of the Open Space Impact Fee Administrative Regulations and Procedures (the "Open Space Regulations").

Without limiting opportunities for other portions of the Property to qualify for open space credit, the Department has made the following determinations: (i) all of the Subarea II park area and its proposed improvements (as depicted on the Subarea II Conceptual Landscape/Streetscape Plan) qualify for open space credit and satisfy all the requirements of the Open Space Ordinance and Open Space Regulations in effect on the date of adoption of the Planned Development; (ii) the Applicant is entitled to a minimum credit for the Subarea II park area equal to Three Hundred Thirteen Dollars (\$3 13) per eighty-seven (87) square feet of the park (i.e., Four Hundred Sixty-two Thousand Three Hundred Twelve Dollars (\$462,3 12)) or such greater amount as may be applicable at the time of Part II approval (as defined in Statement Number 11 of this Planned Development) for the Subarea II park area, provided, however, that Part II approval must first be issued and construction of the Subarea II park area improvements must have been completed in accordance with this Planned Development; and (iii) no Site Plan approval (otherwise required by Statement Number 11 of this Planned Development) shall be required of the Subarea II park, except as may incidentally be necessary to demonstrate that other development requiring completion of the park will be accompanied by the park improvements.

The Applicant shall comply with the requirements of any duly adopted amendment to the Open Space Ordinance and Open Space Regulations that may occur after the date this Planned Development is adopted, but prior to issuance of Part II approval for the Subarea II park area, so long as such amendment does not conflict with any of the Department's

determinations set forth in subsections (i), (ii) and (iii) of the foregoing paragraph.

- j. Particular Uses. Theaters containing more than one hundred (100) seats and freestanding telecommunications towers, because of their unique characteristics, shall be subject to additional review by the Department to establish that the impact of such uses at a particular location is not significantly adverse to public health, safety or welfare.
- k. Public And Quasi-Public Improvements. Prior to occupancy of any building or use of the Property, improvements necessary to serve or accommodate said building or use shall be in place and available for use. Said improvements shall be designed, constructed and installed in accordance with applicable City standards, laws and regulations subject to the approval of the appropriate City departments and agencies, as required, as well as in conformance with applicable state and federal standards, regulations and laws. Improvements necessary to serve uses or buildings on the Property are the following: (i) the public roadway improvements depicted on the Public Right-of-Way Improvement Plan and Intersection Improvement Plan (including pavement, required turn lanes, curbs and gutters, traffic signals and sidewalks); (ii) the utilities necessary to provide potable water, sewer facilities, electric, gas, telephone and other private utility facilities and services to the Property; (iii) the streetscape improvements (including sidewalks, streetlights and street trees) depicted on the Conceptual Landscape/Streetscape Plan; and (iv) the approximately two and ninety-five hundredths (2.95) acre Subarea II park area depicted on the Subarea Plan and the Conceptual Landscape/Streetscape Plan.
- l. Schedule Of Public And Quasi-Public Improvements. The following specific improvements shall be completed within the time periods described below. A "Development Parcel" means that portion of the Property which is the subject of an application for Site Plan approval as described by Statement Number 11 of this Planned Development:
 - (1) The new construction of, or improvements to, Wells Street, Taylor Street, Financial Place and Polk Street depicted on the Public Right-of-Way Improvement Plan, the Public

Intersection Improvement Plan (including associated utilities) and the Polk Street Pedestrian Improvements Plan shall be completed (including conveyance of improvements) no later than initial occupancy of the first principal structure constructed upon any portion of Subarea I, III or IV.

- (2) The landscape and streetscape improvements depicted on the Conceptual Landscape/ Streetscape Plan shall, for and to the extent such improvements are contiguous to a Development Parcel, be completed no later than six (6) months following initial occupancy of the first principal structure constructed upon said Development Parcel. Said improvements shall include both sides of any public roadway contiguous to said Development Parcel where both sides are located within the boundaries of this Planned Development.
- (3) The new east/west alley from Wells Street to the existing north/south alley east of Wells Street, depicted on the Public Right-of-Way Improvement Plan, shall be constructed as a condition of initial occupancy of the first principal structure constructed within any Development Parcel contiguous to said east/west alley.
- (4) The landscaping improvements to the two and ninety-five hundredths (2.95) acre Subarea II park area depicted on the Conceptual Landscape/Streetscape Plan shall be completed no later than six (6) months following initial occupancy of the first principal structure constructed upon any portion of Subarea I or Subarea III. Upon completion of said landscaping improvements, the Subarea II park area shall remain open to the public during those hours that similar parks owned and operated by the Chicago Park District remain open.

Applicant intends to voluntarily dedicate to the City, the Chicago Park District or to another qualifying entity, title or a conservation easement in and to the Subarea II park area. The City expressly acknowledges and agrees that such dedication would be entirely at the election of the Applicant, that the Applicant has not been required by the City to make such dedication and that such dedication would not be made by the Applicant in return for any benefit or consideration from the City whatsoever.

In the event that the City, the Chicago Park District or other qualifying entity accepts dedication of title or conservation easement in and to the Subarea II park area, then notwithstanding any other provision of this Planned Development, the net site area of the Property, for purposes of calculating maximum floor area ratio and minimum lot area per dwelling unit, shall be deemed to continue to include the area of said park so dedicated.

11. Prior to issuance by the Department of a determination pursuant to Section 11.11-3(b) of the Chicago Zoning Ordinance ("Part II approval") for any development of the Property, a site plan for proposed development shall be submitted to the Department for site plan approval. Site plan approval is intended to assure that specific development proposals conform with this Planned Development and to assist the City in monitoring ongoing development. A site plan may be submitted for all or any part of the Property. Such site plan need only include the area within the Development Parcel, and required improvements described in Statement Number 10 above, for which approval is being sought by the Applicant. No Part II approval for development with a Development Parcel upon the Property shall be granted until an applicable site plan has been approved.

Following approval of a site plan by the Department, the site plan shall be kept on permanent file with the Department and shall be deemed to be an integral part of this Planned Development.

After approval of a site plan by the Department, the approved site plan may be changed or modified pursuant to the provisions of Statement Number 12 of this Planned Development.

A site plan shall, at a minimum, provide the following information with respect to the proposed improvements within the boundaries of a Development Parcel and including any improvements required by this Planned Development not located within the Development Parcel:

- a. building elevations;
- b. footprint of the improvements;
- c. preliminary landscaping plan;

- d. information as necessary to demonstrate compliance with applicable City stormwater management requirements;
- e. pedestrian circulation;
- f. preliminary cross-sections of the improvements;
- g. statistical information applicable to the Development Parcel including floor area and floor area ratio, uses to be established, building heights and setbacks; and
- h. traffic impact analysis, if required by C.D.O.T.

A site plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of the Planned Development.

12. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department upon the request of the Applicant and after a determination by the Commissioner of the Department that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated herein. Such modifications include, but are not limited to, those specifically authorized by the other provisions of this Planned Development. Any such modification shall be deemed a minor change in the Planned Development as contemplated by Section 11.11-3(c) of the Chicago Zoning Ordinance. Notwithstanding the provisions of subclauses 4 and 5 of the Section 11.11-3(c) of the Chicago Zoning Ordinance, such minor changes may include a reduction in the minimum required distance between structures, a reduction in periphery setbacks and an increase of the maximum percent of land covered.

Without requirement of the approval described in this Statement Number 12 above, Applicant may elect to adjust the configuration of the two and ninety-five hundredths (2.95) acre Subarea II park area depicted on the Subarea Plan and on the Conceptual Landscape/Streetscape Plan to increase the setback of its eastern boundary from the Metra embankment a sufficient distance to allow a private roadway to be located west of, and adjacent to, the Metra maintenance easement; provided, however, that the southern boundary of the park is extended south to the extent necessary to provide to maintain the minimum two and ninety-five hundredths (2.95) acre area of the Subarea II park.

13. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. The Applicant shall use reasonable efforts to design, construct and maintain all buildings located within the Property in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System.
14. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the property. Plans for all buildings and improvements on the property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 11.1 1-3(b) of the Chicago Zoning Ordinance until the M.O.P.D. has approved detailed construction drawings for each building or improvement.
15. The Property is intended to be developed in phases extending over periods of time. This statement describes the schedule for commencement of development of those phases.
 - a. Initial Period. Unless substantial construction has commenced upon a minimum of two hundred fifty thousand (250,000) square feet of floor area within six (6) years of the effective date of this amended Planned Development, this Planned Development shall expire upon the sixth (6th) anniversary of the effective date hereof. If this Planned Development expires pursuant to the foregoing provision, the zoning of the Property shall automatically be classified as that of the C3-4 Zoning District.
 - b. Subsequent Periods. Unless substantial construction has commenced and been diligently pursued after the Initial Period on a minimum of five hundred thousand (500,000) square feet of floor area within ten (10) years of the effective date hereof, seven hundred fifty thousand (750,000) square feet of floor area within fifteen (15) years of the effective date hereof and one million (1,000,000) square feet of floor area within twenty (20) years of the effective date hereof (the "Subsequent Periods") the Department may decide to review and recommend modification of the provisions of this Planned Development in whole or in part. The Department's determination that the Planned Development ordinance must be reviewed and shall be reflected in an

application filed by the City for a Planned Development amendment, with the City being deemed the applicant and providing such notice as may be required by law. Not less than thirty (30) days before filing any such application for amendment, to the Planned Development, the Department shall provide the Applicant with a copy of the draft application for amendment.

16. The Applicant acknowledges that the operation of a children's day care facility may be a desirable component of a residential community. Accordingly, at a minimum, the first (1st) building to be built upon the Property, following construction of the five hundredth (500th) dwelling unit on the Property, which contains a minimum of two hundred fifty (250) dwelling units shall incorporate space suitable for day care purposes. Said space shall be located on the ground floor, shall be proximate to an area of outdoor landscaped open space and shall otherwise be suitable for the establishment and operation of a day care facility. The Applicant shall make good faith efforts to market said space for rental or sale, as the case may be, to operators of day care facilities. If, after having marketed the day care space for at least thirty-six (36) months (including marketing prior to, during and after construction of the project), the space has not been rented or sold for the purpose of operation of a day care facility, the Applicant may apply for a permanent waiver of this requirement under the minor change provisions of Statement Number 13 hereof. Said application shall include written documentation of the aforesaid marketing efforts. If the Commissioner determines that the marketing efforts have been undertaken in good faith, the Commissioner shall grant the permanent waiver.
17. The Applicant acknowledges that the opportunity for residential units larger than one (1) bedroom unit is a component of attracting families to a residential community. Accordingly, for each building containing residential units upon the Property, a minimum of twenty percent (20%) in the aggregate of all the dwelling units within all of the buildings in each phase of development, as described at the time of Site Plan approval, shall be of a sufficient size to accommodate either three (3) bedrooms or two (2) bedrooms or any combination thereof ("Large Units"). If any Large Units have not been rented or sold, as the case may be, after having marketed them in good faith for at least eighteen (18) months following completion of construction (including pre-construction marketing in the case of owner-occupied units), the Applicant may apply for a permanent waiver of this requirement under the minor change provisions of Statement Number 13 hereof. Said application shall include written documentation of the aforesaid marketing efforts. If the Commissioner determines that the

marketing efforts have been undertaken in good faith, the Commissioner shall grant the permanent waiver.

18. The Applicant and the Department heretofore have entered into an understanding regarding certain existing and future public roadway rights-of-way relating to the Property, as described in the letter to the Commissioner of the Department from the Applicant's attorney, dated May 22, 2003, the provisions of which letter (the "Letter of Understanding") were acknowledged and accepted by the Commissioner of the Department on May 27, 2003. The Letter of Understanding is incorporated by reference into, and made part of, this Planned Development. A copy of the Letter of Understanding is on file with the Department. The Letter of Understanding addressed, among other things, the Applicant's agreement to dedicate property to allow the City to widen Clark Street; the Applicant's agreement to dedicate property for a future 9" Street public roadway between Clark Street and Financial Place (the "9" Street Right-of-Way"); conditions upon the design and construction of roadway and related improvements within the 9" Street Right-of-Way; conditions upon the design and construction of roadway and related improvements within the Financial Street, Taylor Street and Wells Street rights-of-way; the Applicant's consent to traffic signals to be located at the 9th Street/Clark Street intersection and at a point on Clark Street, between former Taylor Street and Roosevelt Road; and other related items.

Pursuant to the Letter of Understanding, the Applicant and the City intended that this Planned Development specify the time period within which the sixty-six (66) foot wide right-of-way for 9th Street, between Clark Street on the east and Financial Place on the west as described by the Letter of Understanding and subject to the conditions and provisions thereof, would be dedicated to the City. Accordingly, the Applicant shall cause the dedication to the City of the aforesaid sixty-six (66) foot wide right-of-way for 9th Street to occur no later than twenty-four (24) months following the date of adoption and publication of this Planned Development amendment ordinance.

Nothing in this Statement Number 18 shall, or may be construed to, waive or in any way modify the conditions on Applicant's obligations under the Letter of Understanding nor any other rights or privileges the Applicant may have arising under the Letter of Understanding. In the event of any conflict between the provisions of this Statement Number 18 and the Letter of Understanding, the latter shall govern.

19. The provisions of that certain Site Plan Approval letter from the Department Commissioner to Mr. David Riefman dated May 23, 2003 and

consisting of one (1) page is hereby incorporated by reference and made part of this Planned Development. The provisions of that certain Minor Change and Zoning Clarification letter from the Department Commissioner to Mr. David Riefman, dated May 22, 2003 and consisting of three (3) pages is hereby incorporated by reference and made part of this Planned Development.

20. (a) Notwithstanding the location and alignment of the portion of Taylor Street that is east of Wells Street and extends to South Financial Place (the "Easterly Taylor Street Segment") as depicted on the exhibits to this Planned Development, the Applicant acknowledges that the City is now in the planning stages for a new Taylor Street roadway segment that will extend west from Wells Street, cross the Chicago River via a new bridge and then extend further west (the "Westerly Taylor Street Segment"). The Applicant further acknowledges that the City seeks to align the easterly and westerly Taylor Street Segments at the point they intersect with Wells Street and, as a result, the City intends to relocate the Easterly Taylor Street Segment to the south so that it aligns with the Westerly Taylor Street Segment as described in the following paragraph. The City agrees that, prior to any City action affecting the existing Easterly Taylor Street Segment, the City and the Applicant will enter into a mutually satisfactory amendment to the T.I.F. Agreement (defined in the Letter of Understanding referred to herein in Statement Number 18) or such other agreement as the parties may agree, which agreement will address the considerations and implications of the aforesaid relocation on the Property, the Planned Development and the surrounding roadway network, which considerations and implications include, without limitation, the costs and responsibilities for (i) the dedication and vacation of rights-of-way, (ii) the redesign and re-engineering of the roadway improvements, (iii) the revisions to this Planned Development and (iv) other related issues and considerations. Said agreement will be consistent with the following requirements: (1) the Easterly Taylor Street Segment will not be expanded or moved north; (2) when the Easterly Taylor Street Segment is expanded or moved south into Subarea II, Subarea II will be reduced in its required site area accordingly (i.e., Subarea II will not be required to move south); (3) following vacation of the area formerly occupied by the Easterly Taylor Street Segment right-of-way, Subarea III will be expanded south to include the land area so vacated; and (4) the Department will approve adjustments to the provisions of the Planned Development including the Bulk Regulations and Data Table to accommodate the changes aforesaid, provided however that such adjustments shall not result in an increase of the maximum overall floor area allowable upon the Property under this Planned Development (i.e., the maximum overall F.A.R. multiplied by the Net Site Area, as both are stated on the Bulk Regulations and Data Table).

Additionally, the Applicant and the City agree that the northern boundary of the relocated Easterly Taylor Street Segment will be located no less than thirty (30) feet and no more than fifty (50) feet south of the northern boundary of the Easterly Taylor Street Segment as it was recorded on December 11, 2002. Upon the Applicant's request, the City and C.D.O.T. shall meet with the Applicant for the purpose of establishing, within an expedited, but reasonable time period, the precise location of the relocated Easterly Taylor Street Segment. Once the location of the relocated Easterly Taylor Street Segment is determined, the Department shall provide the Applicant with a letter stating the new location, which letter shall be incorporated into this Planned Development pursuant to the provisions of Statement Number 12 of this Planned Development.

(b) The Applicant will participate in City sponsored discussions, held from time to time, regarding the feasibility of properties that are located in the vicinity of the intersection of Clark Street and Roosevelt Road sharing parking areas with customers of retail businesses located proximate to said intersection.

[Letter of Understanding and Signage Standards referred
to in these Plan of Development Statements
unavailable at time of printing.]

[Existing Zoning Map; Existing Land-Use Map; Planned Development
Boundary and Property Line Map; Public Right-of-Way Adjustment
Map; Subarea Plan; Conceptual Landscape/Streetscape Plan;
Conceptual Streetscape Section; Public Right-of-Way
Improvement Plan; Public Intersection Improvement
Plan; Polk Street Pedestrian Improvement Plan;
and Building Signage Diagram referred
to in these Plan of Development
Statements printed on pages
16206 through 16216 of
this *Journal*.]

Bulk Regulations and Data Table and Signage Standards referred to in these Plan
of Development Statements read as follows:

12/17/2003

REPORTS OF COMMITTEES

1408/

16201

Bulk Regulations And Data Table.

| | |
|--|-------------------------------------|
| Approximate Gross Site Area: | 1,168,024 square feet (26.81 acres) |
| Approximate Area to Remain in Public Right-of-Way: | 227,570 square feet (5.22 acres) |
| Net Site Area: | 940,454 square feet (2 1.59 acres) |

Overall Property.

| | |
|--|--|
| Maximum Overall Floor Area Ratio: | 5.5 |
| Maximum Overall Percentage of Site Coverage: | 66.18%* |
| Maximum Building Height: | 380 feet, except in that Low Height Zone depicted on subarea exhibit, the maximum height shall be as follows: <ul style="list-style-type: none">-- adjacent to Clark Street:<ul style="list-style-type: none">-- 15 feet or closer to Clark Street right-of-way: 55 feet-- more than 15 feet from Clark Street right-of-way: 120 feet-- adjacent to Wells Street:<ul style="list-style-type: none">-- 120 feet |

* Site coverage may be exceeded if the criteria for minor changes in Statement 12 are satisfied.

Overall Property.

| | |
|--|---|
| Maximum Overall Number of Dwelling Units: | 4,406 |
| Minimum Overall Lot Area Per Dwelling Unit: | 200 square feet |
| Minimum Width of Building Separation Zone (depicted on subarea exhibit): | North and South Zone: 66 feet Middle Zone: 40 feet |
| Minimum Distance between Front or Rear Walls to Townhouses: | In accordance with R5 requirements |
| Minimum Streetscape Dimensions: | Between face of building and the curb of the adjacent public street or private drive: 16 feet (except along Roosevelt Road which shall be 30 feet and Clark Street which shall be 20 feet)** Sidewalks along public street or private drive: 6 feet (but not required along the Metra tracks) Parkway planting strip adjacent to sidewalk: 5 feet (but not required along the Metra tracks) Carriage walk adjacent to curb: 1.5 feet (but not required along the Metra tracks) |

** Balconies, terraces, stairs, window bays and other such appurtenances may extend into this setback area, but not over sidewalk or planting strip areas.

Overall Property.

Minimum Number of Parking
Spaces for Residential, Office
and Retail Uses:

Residential uses: 1 /dwelling unit for
first 50 dwelling units per subarea;
0.55/dwelling units for each additional
dwelling unit per subarea

Office uses: 1.8/ 1,000 square feet

Retail uses: 0.4/1,000 square feet for
25,000 square feet and under per
subarea; 3/ 1,000 square feet over 25,000
square feet per subarea

Minimum Number of Parking
Spaces for Other Permitted
Uses:

Per C3-4 zoning requirements

Minimum Number of Loading
Berths:

As required in C3-4 zoning district

Maximum Office Floor Area:

Subareas I, III and IV: 2,500,000 square
feet

Subareas V, VI and VII: 350,000 square
feet aggregate***

*** Shall be increased to one million seven hundred fifty thousand (1,750,000) square feet if Clark Street is widened to six (6) lanes between Polk Street and Roosevelt Road; shall be increased to two million (2,000,000) square feet if Clark Street is widened to six (6) lanes between Polk Street and Roosevelt Road and either a Roosevelt Road/Wells Street ramp connection or a Wells Street/Wentworth Avenue connector is built.

Subareas.

| Subarea | Net Site Area | Maximum Percentage Of Site Coverage | Maximum Number Of Dwelling Units | Maximum Floor Area Ratio |
|--------------|------------------------|---|-------------------------------------|--------------------------------|
| Subarea I | 225,481 square feet | 90% | 1,492 | 6.39 |
| Subarea II | 132,117 square feet | 0% | 0 | 0.00 |
| Subarea III | 72,492 square feet | 100% | 390 | 6.39 |
| Subarea IV | 77,071 square feet | 100% | 410 | 6.39 |
| Subarea V | 164,922 square feet | 73% | 824 | 6.39 |
| Subarea VI | 109,442 square feet | 66% | 600 | 6.39 |
| Subarea VII | 114,099 square feet | 68% | 690 | 6.39 |
| Subarea VIII | 44,830 square feet | 0%* | 0 | 0.00* |

Signage Standards.

Primary Building Identification.

Identification signs for a building name or building owner's corporate name may be placed directly above a building's entrance (see Building Signage Diagram). Such signs can be a maximum of three (3) feet high with only one (1) sign per building facade allowed. If necessary for visibility, such signs can be placed away from a main entrance on the building base.

* Except for railroad and railroad right-of-way uses

If illuminated, such signs must be backlit. They shall be surface mounted and integrated into the design of the building's facade. Such signs can incorporate a building or company's identity colors, logos and typeface. Address numbers shall be included at all entrances to buildings.

Miscellaneous Tenant Identification.

All building **signage** other than the main and secondary building identification signs shall be restricted to a common "sign band" established around the bases of buildings. The sign band will be located directly above storefront windows at the same height from storefront to storefront (see Building Signage Diagram).

Signs placed within the sign band shall be a maximum height of two (2) feet and protrude no more than eight (8) inches from the face of the building. If illuminated, such building signs shall be backlit.

If awnings are to be constructed on the first (1st) level, signage no taller than one (1) foot can be applied on the vertical fringe of the awning. The bottom edge of awnings shall be eight (8) feet above adjacent grade level and shall align with adjacent awnings.

No temporary signs can be displayed or applied on buildings, awnings, canopies or windows.

Freestanding Ground Signs.

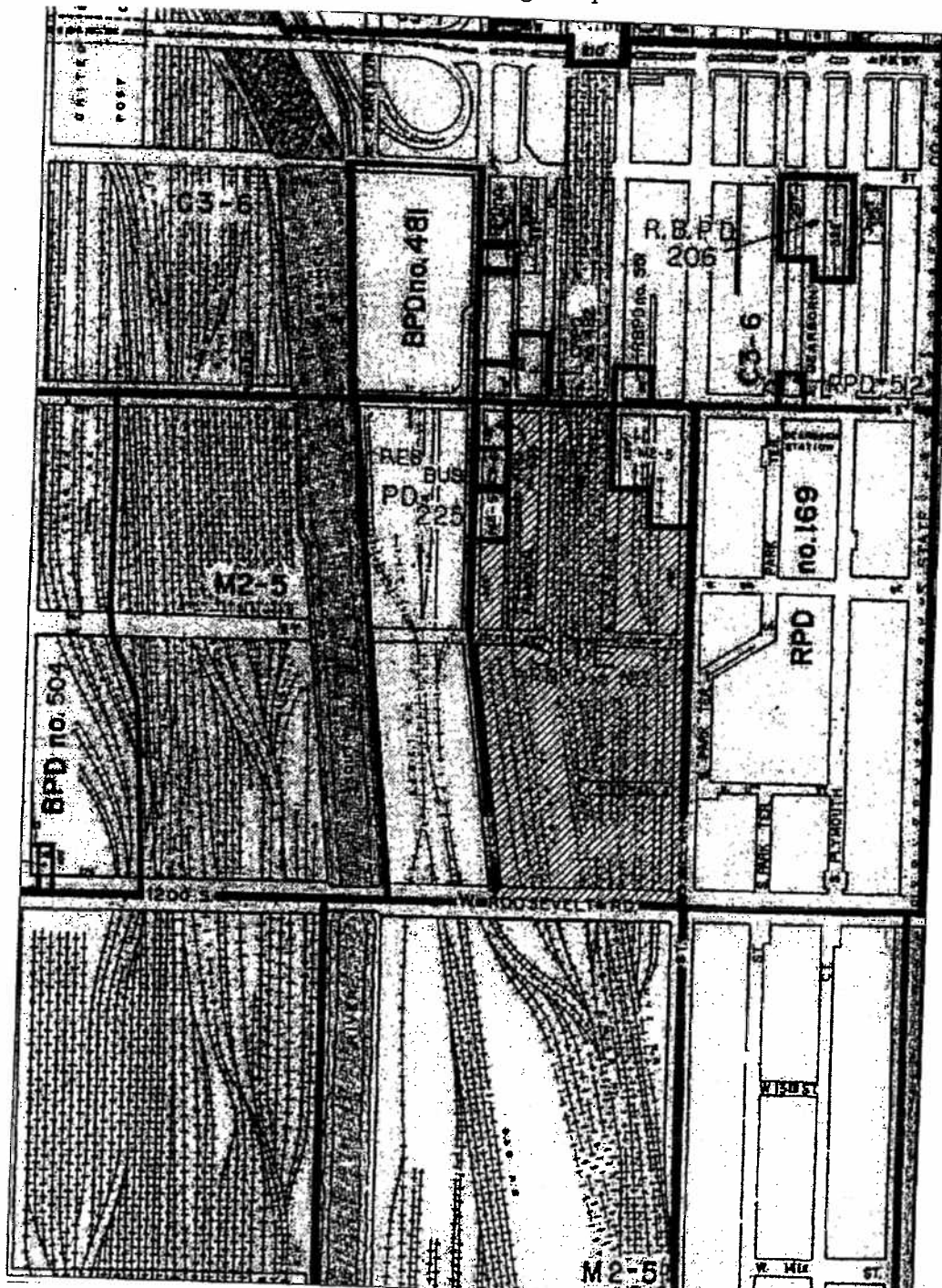
Freestanding ground signs are permitted at each primary entrance to the development. Such signs shall not exceed four (4) feet in width by eight (8) feet in height. If illuminated, such signs shall be backlit.

Temporary Signs.

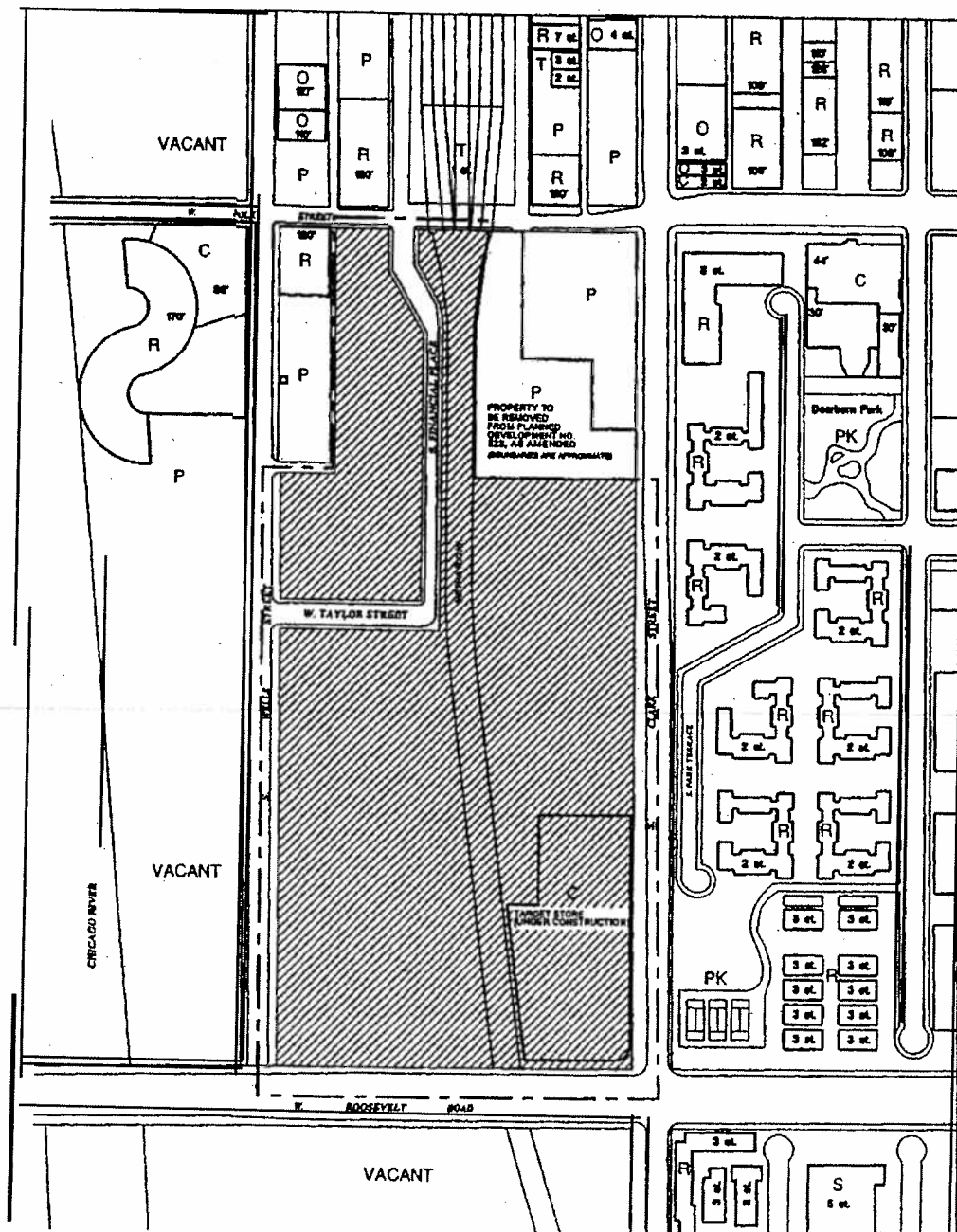
Parcels that are unimproved or under construction may have temporary marketing, construction or other site signs provided that they are designed, constructed and maintained in accordance with the following standards:

- Sign faces shall be a maximum of twelve (12) feet in height and two hundred fifty (250) square feet in area.
- Construction barricades may be used as **signage**.
- Signs shall be maintained in good condition.
- Sign information shall be kept current

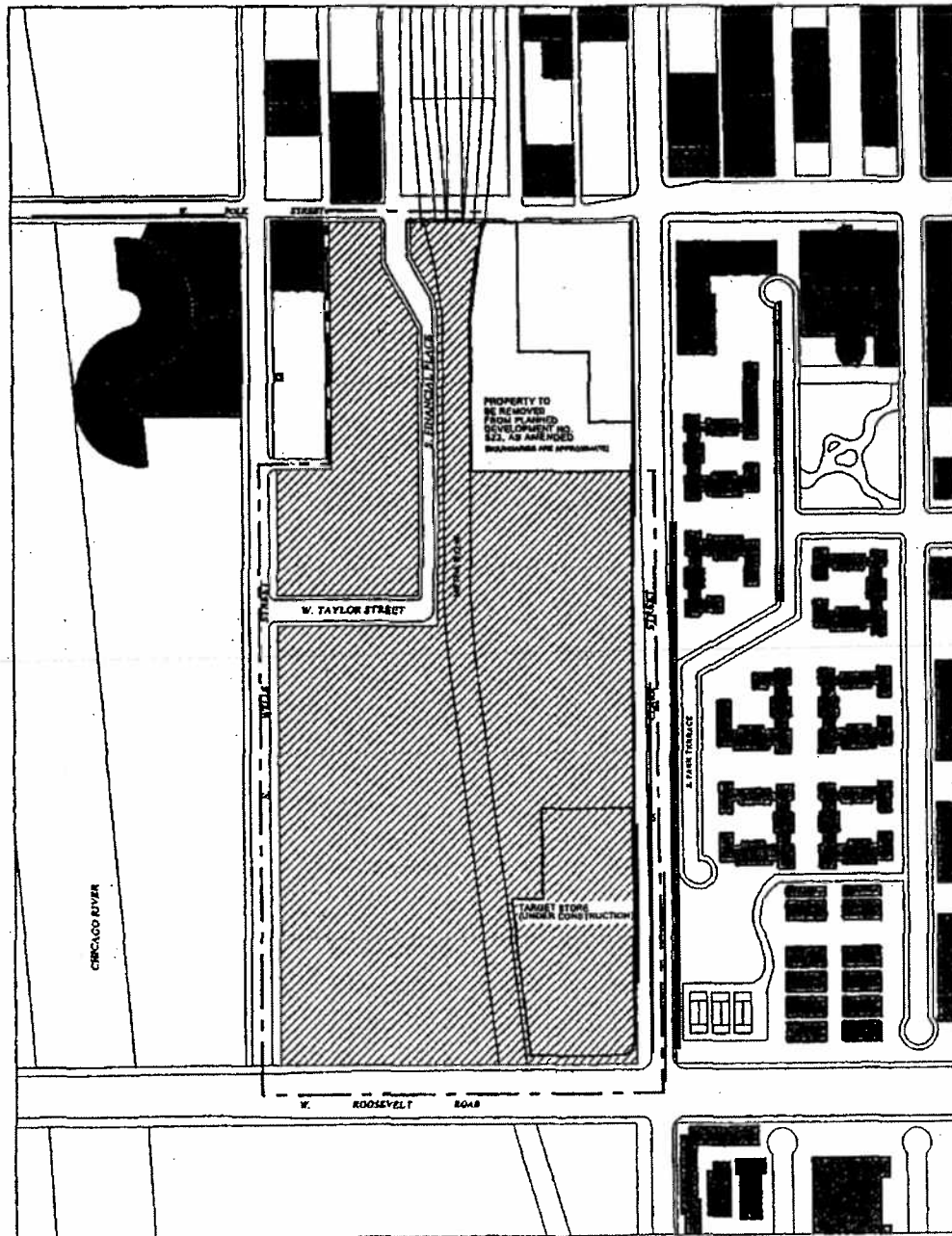
Existing Zoning Map.



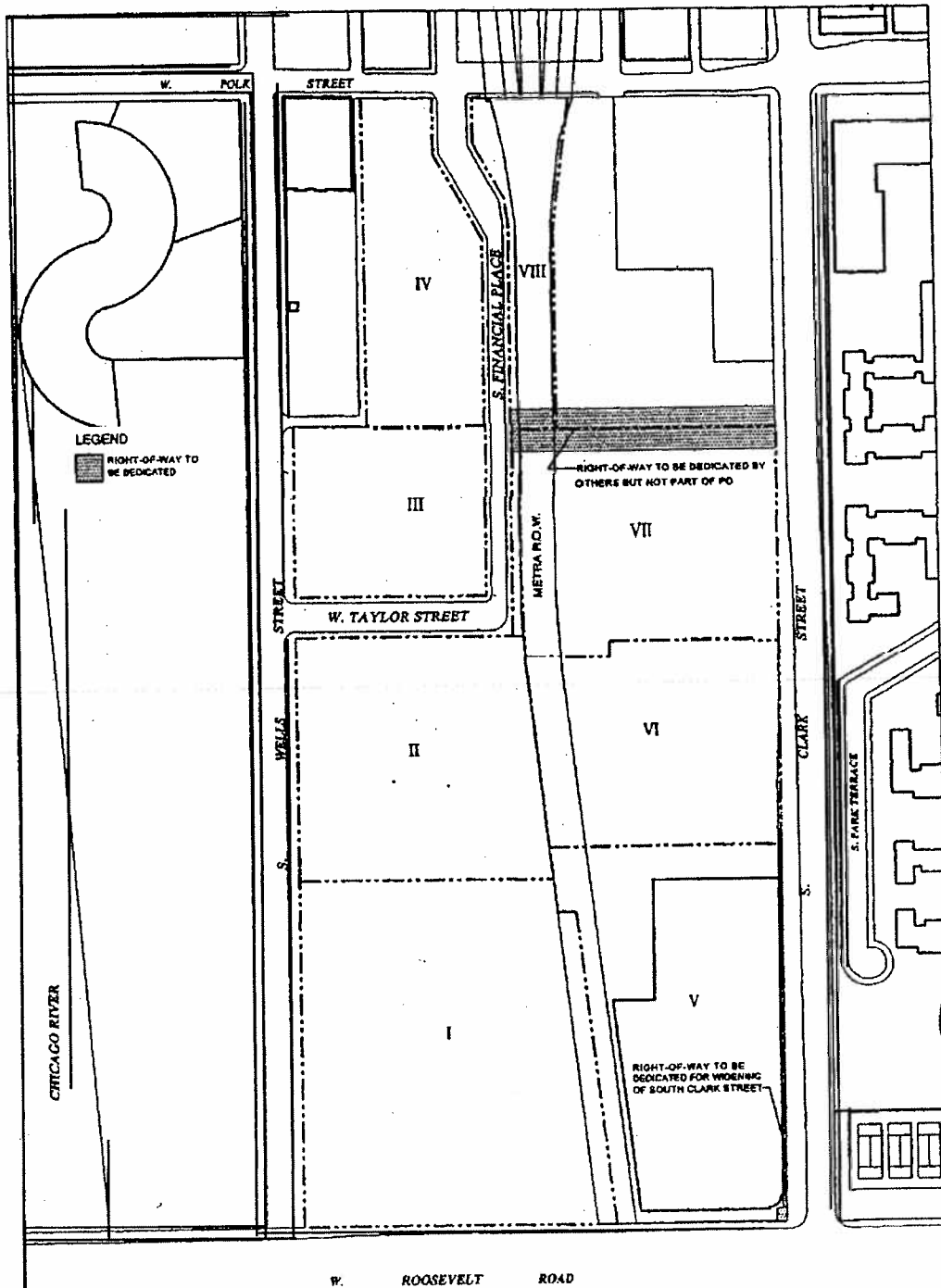
Existing Land-Use Map.



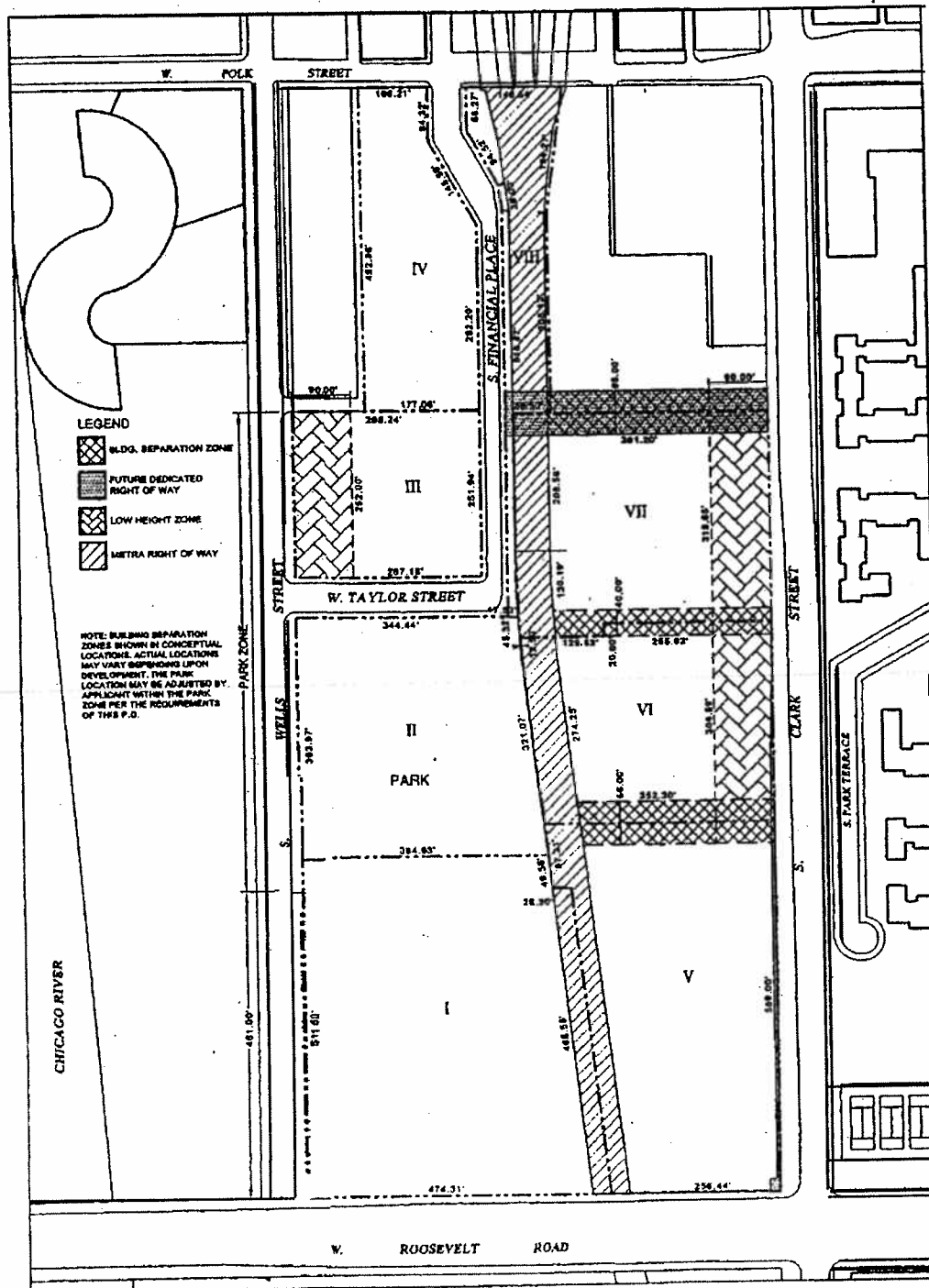
Planned Development Boundary
And Property Line Map.



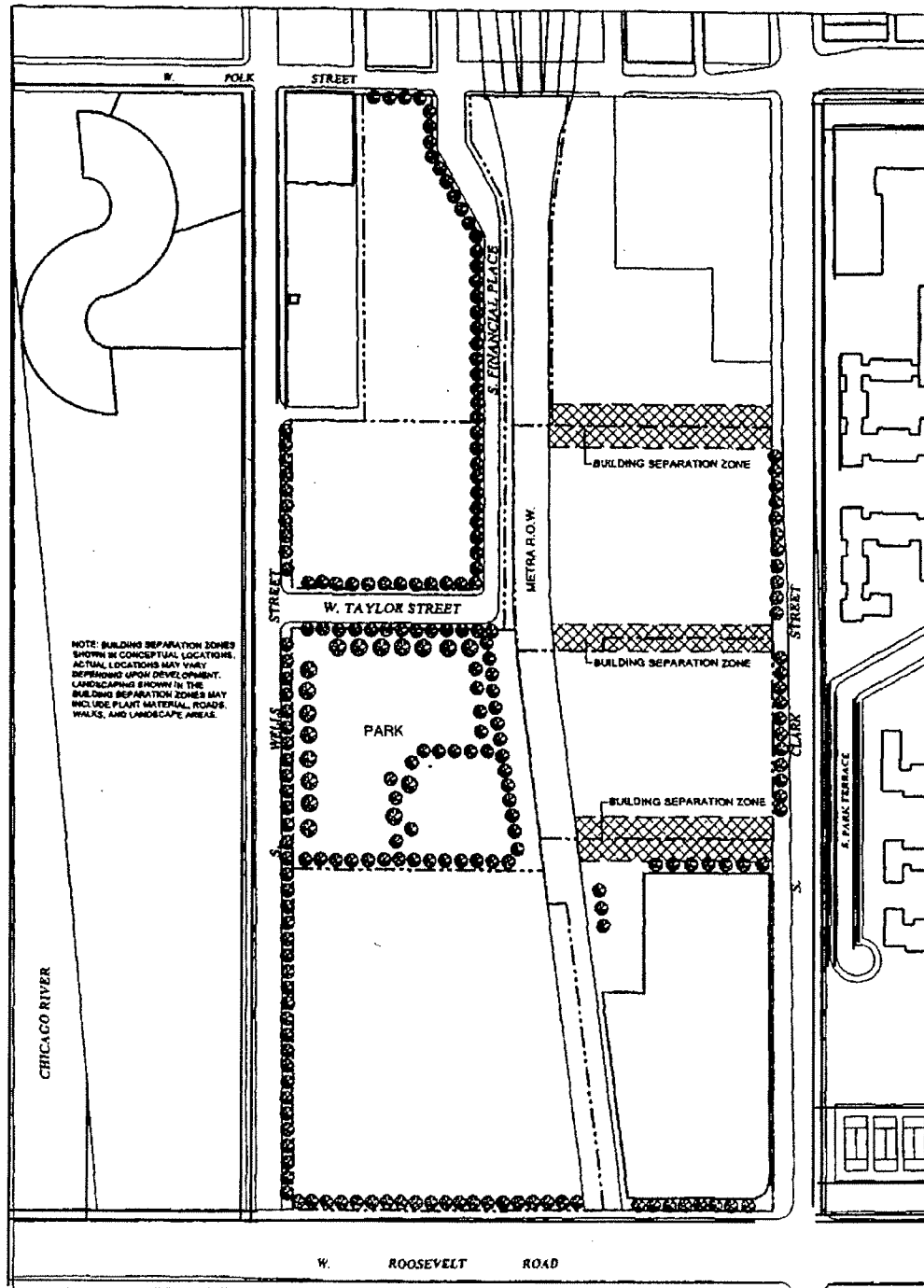
Public Right-Of-Way Adjustment Map.



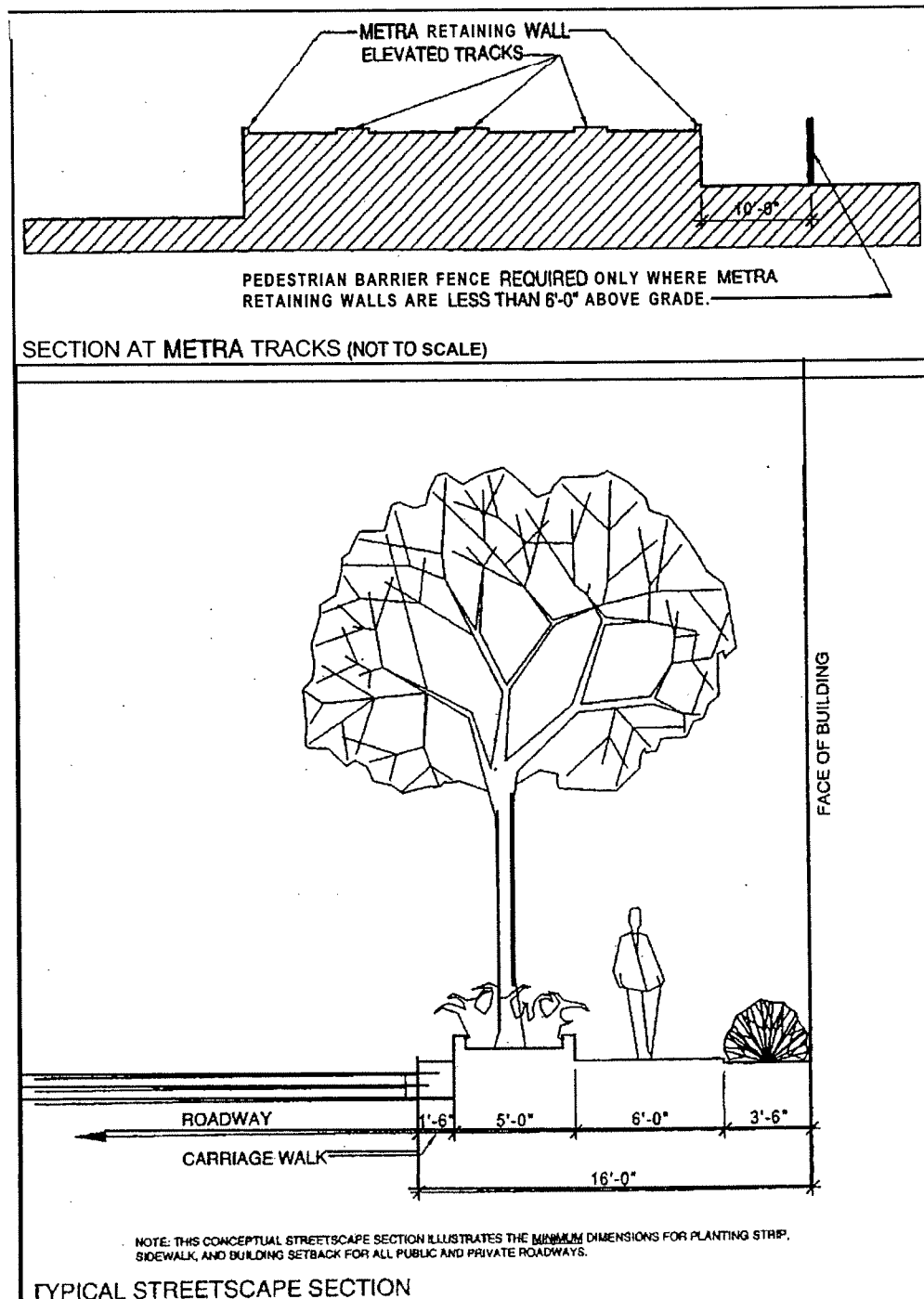
Subarea Plan.



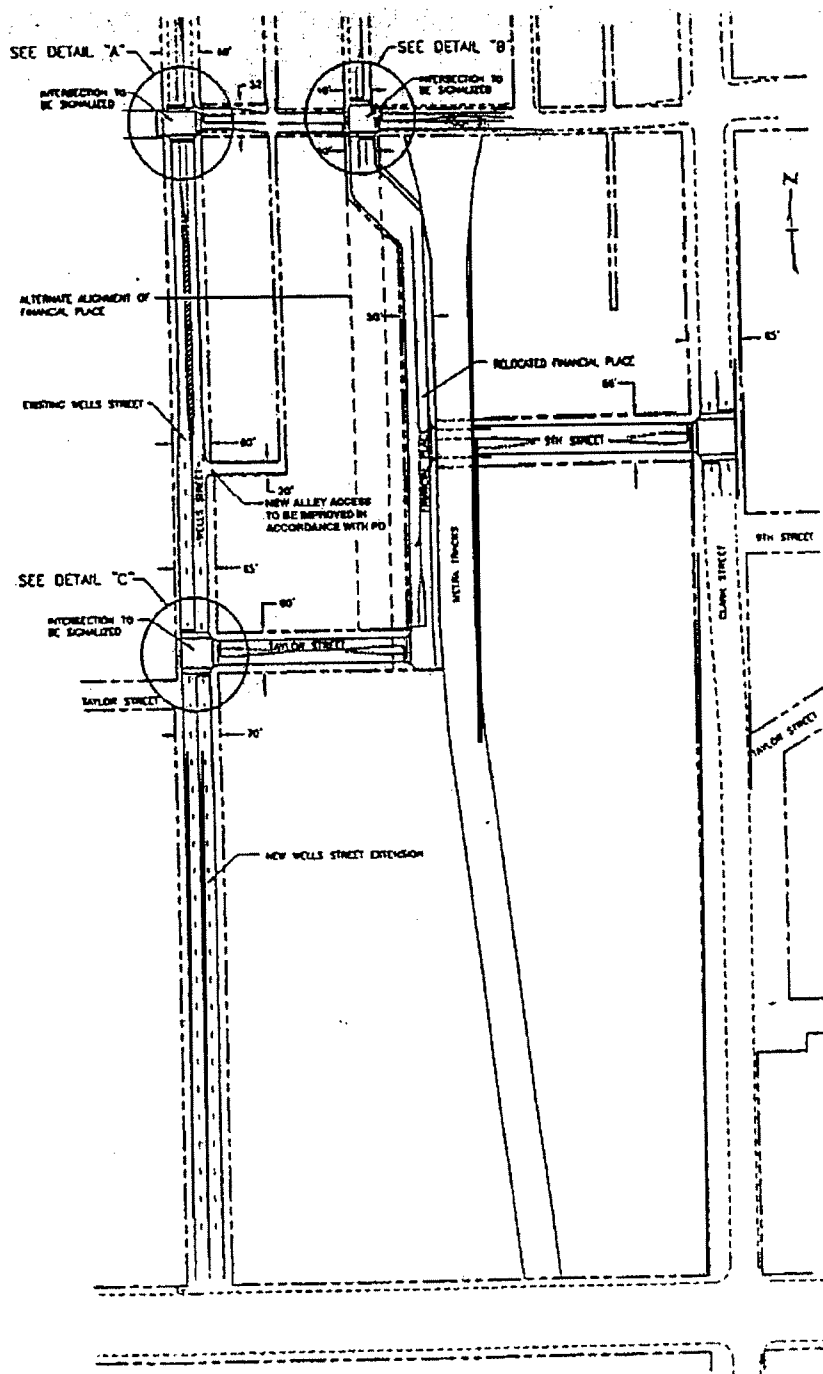
Conceptual Landscape/Streetscape Plan.



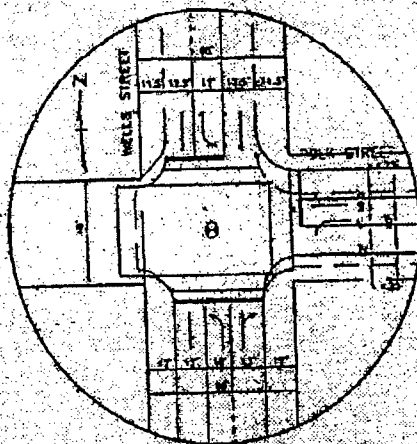
Conceptual Streetscape Section.



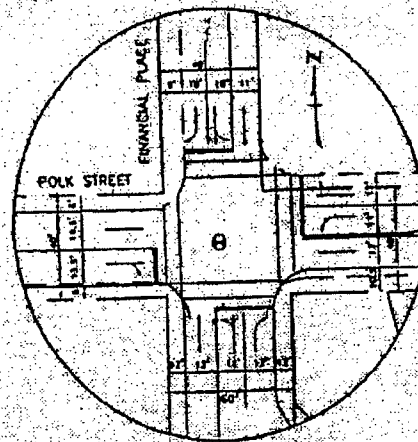
Public Right-Of-Way Improvement Plan.



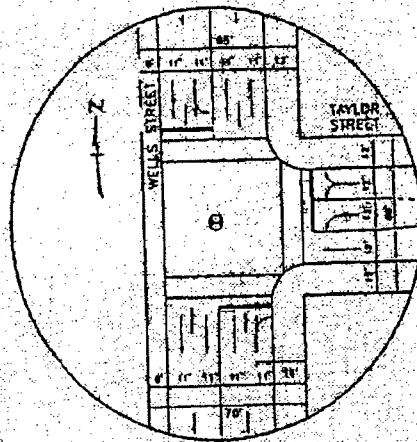
Public Intersection Improvement Plan.



DETAIL A - POLK STREET/WELLS STREET
INTERSECTION IMPROVEMENT
 SCALE: 1"=40'



DETAIL B - POLK STREET/FINANCIAL PLACE
INTERSECTION IMPROVEMENT
 SCALE: 1"=40'

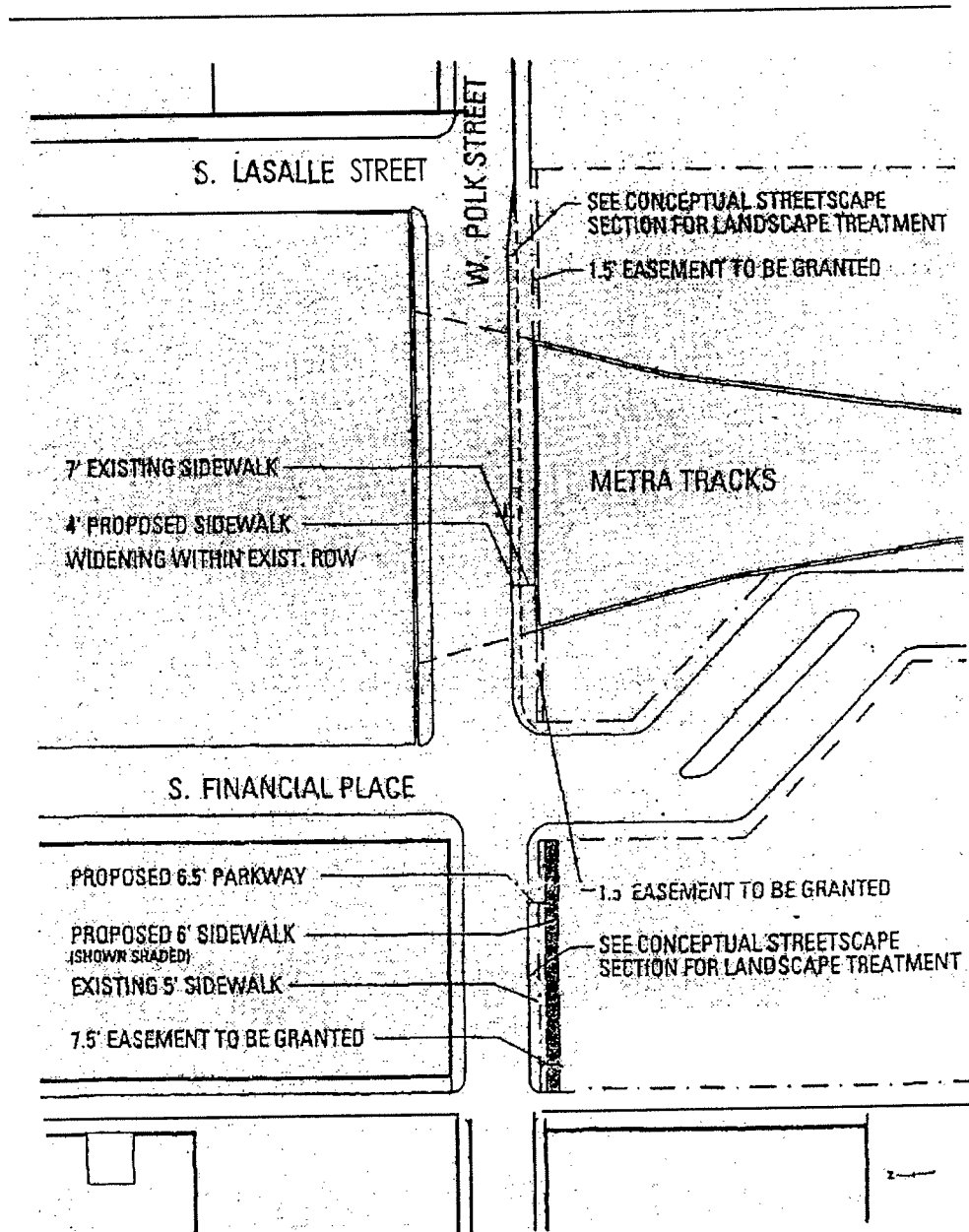


DETAIL C - TAYLOR STREET/WELLS STREET
INTERSECTION IMPROVEMENT
 SCALE: 1"=40'

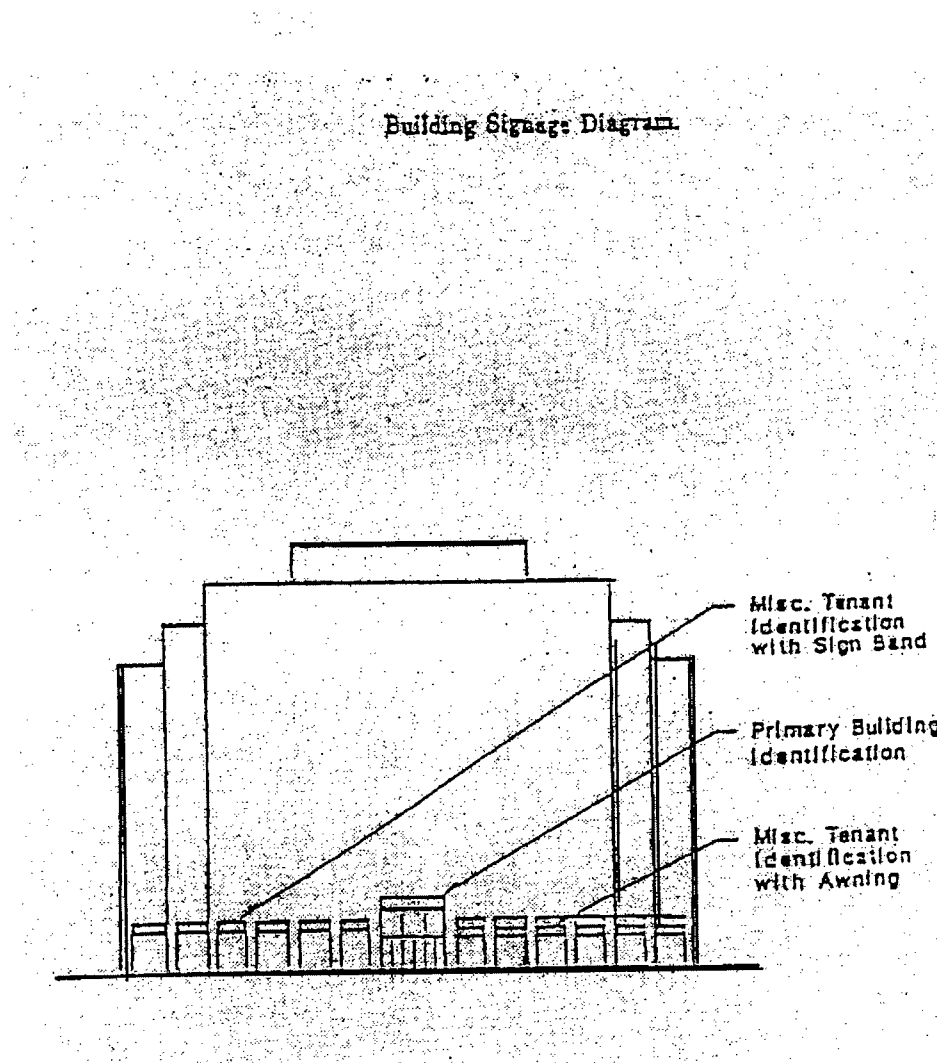
LEGEND

- PAVED LANE
- - - - - TRAILING LANE
- ⊙ PUBLIC SPACE

West Polk Street Pedestrian Improvement Plan.



Building Signage Diagram.



RICHARD WENDY
richard.wendy@piperrudnick.com
direct 312.368.4041

May 22, 2003

VIA FACSIMILE AND U.S. MAIL

Alicia Mazur Berg
Commissioner
Department of Planning and Development
121 North LaSalle Street
Room 1003
Chicago, IL 60602

This document is incorporated in Residential
Business Planned Development No. 523,
as amended Dec. 17, 2003,
by reference in Statement No. 18.

Page 1 of 10

**Re: LaSalle Park: Follow up to your letter to David Reifman, attorney for the
Target Corporation, dated February 27, 2003**

Dear Alicia:

This letter is written on behalf of Clark/Taylor, LLC ("Clark/Taylor") and is a follow up to your letter described above (the "2/27 Letter"), to the meeting with Deputy Commissioner Jack Swenson, Commissioner Miguel d'Escoto and others at the Department on Tuesday, May 6, 2003 and to multiple other recent meetings and phone conversations with the Department regarding the issues raised.

The 2/27 Letter sets forth the conditions pursuant to which the City would issue the Site Plan Approval letter and the Zoning Clarification/Minor Change letter (collectively, the "Target Approval Letters") pertaining to the development of the Target store at the northwest corner of Clark Street and Roosevelt Road. This letter sets forth Clark/Taylor's commitments to the City regarding item numbers 1 through 5 on page 2 of the 2/27 Letter and, because the Department's requests have evolved since the date the 2/27 Letter was issued, this letter is also in response to that evolution.

I think you will find that Clark/Taylor has made every reasonable effort to accommodate the City. Please keep in mind, however, that this letter is, and must be, in the nature of a "letter of intent". It is a sincere and genuine statement of Clark/Taylor's commitments, but it is not legally binding on Clark/Taylor or the City. On the other hand, the key provisions contained in this letter and its attachments can be made binding and enforceable by the City through the incorporation of conditions in the planned development amendment to the PD for which we intend to file an application shortly. That application will seek authority to remove the Allright

Corporation property from the planned development and could include, among other things, a requirement to establish a covenant running with the land.

It is Clark/Taylor's understanding that, if the responses contained in this letter are acceptable, the Department will promptly release the Target Approval Letters. Also, as you know, subsequent to issuance of the Target Approval Letters, Target will need to obtain Part II approval for its project. We look forward to hearing from you on this matter.

The Department's requests, contained in items 1 through 5 on page 2 of the 2/27 Letter are repeated below (in italics) and each request is followed by Clark/Taylor's response.

1. *Written agreement to CDOT's proposed reconfiguration of Clark Street, including a three-way signalized intersection at Target's driveway approximately 500 feet north of Roosevelt Road.*

Clark/Taylor agrees to the reconfiguration as described, and this letter constitutes such written agreement, provided that the proposed reconfiguration is:

- ☐ preceded by Clark/Taylor's review and approval of a general depiction with relevant dimensions to assure conformance with Clark/Taylor's understanding; and
- ☐ at no cost or expense to Clark/Taylor, other than Clark/Taylor's own costs associated with reasonable cooperation with the City.

2. *Written commitment to dedicate to the City the strip of land in Parcel VI necessary to construct the proposed reconfiguration of Clark Street by July 1, 2003. City's Additional Refinement: Undertake, at Clark/Taylor's cost, the shepherding of the dedication through the City process.*

Clark/Taylor agrees to dedicate the aforesaid "strip of land", and this letter constitutes such written agreement, provided that the dedication is:

- ☐ preceded by Clark/Taylor's review and approval of a general depiction with relevant dimensions to assure conformance with Clark/Taylor's understanding; and
- ☐ permitted to be made by conveyance of a Quit Claim deed and the City promptly accepts such conveyance.

3. *Written commitment to dedicate a 66-foot wide right-of-way for a public street in the northern separation zone, from Clark Street to Financial Place. City's Additional*

Refinement: Undertake, at Clark/Taylor's cost, the shepherding of the application through the City process.

Clark/Taylor agrees to dedicate the right of way, and this letter constitutes such written agreement, provided that the dedication is:

- ☐ subject to reservation of rights in Clark/Taylor for such curb cuts onto the right-of-way as Clark/Taylor may now or in the future reasonably believe are necessary; and
- ☐ permitted to be made by conveyance of a Quit Claim deed, and the City promptly accepts such conveyance.

4. *Written agreement that the Clark Street intersections for Target and what has been called the "9th Street" entrance (in the northern building separation zone) will be signalized and the only curb cuts between Polk Street and Roosevelt Road.*

Clark/Taylor agrees, and this letter constitutes such written agreement, provided that:

- ☐ the width of the middle (Taylor Street alignment) separation zone is reduced to the width of the existing utility easement located in that zone in connection with the Future PD Amendment (defined below); and
- ☐ pursuant to Clark/Taylor's request to modify certain bulk and related restrictions, the City will give reasonable consideration, in connection with the Future PD Amendment (defined below), to requested modifications to applicable bulk and related restrictions affecting the Property which arise as a result of the matters covered by this letter and which are consistent with the intent of this letter and applicable City standards and policies.

5. *Written commitment to cooperate with CDOT and DPD in establishing grades for the street in the northern separation zone, Financial Place, Taylor Street and Wells Street, and for development parcels fronting those streets, based on CDOT's study of extending a street under Metra at the northern building separation zone and a possible future Taylor Street bridge over the South Branch of the Chicago River. City's Additional Refinement: Commit to construct the roadway and related improvements for the 9th Street Roadway (defined below).*

In response to the City's request described in this Section 5 above, Clark/Taylor states the following:

A. Clark/Taylor hereby acknowledges that:

- 1) The "PD" (Planned Development No. 523, dated January 20, 1999, as it may have been administratively amended) and the "TIF Agreement" (the LaSalle Park Public Improvements Redevelopment Agreement entered into by and between the City and Clark/Taylor, dated December 10, 2002) established certain rights of way to be established and constructed within and adjacent to the PD Property in connection with its development and in particular provided for the construction and establishment of the "Financial/Taylor/Wells Roadways" (which consist of Wells Street between Polk Street and Roosevelt Road; Financial Place between Polk Street and Taylor Street; and Taylor Street between Financial Place and Wells Street).
- 2) The City has now requested and Clark/Taylor has now agreed, that the rights of way within and adjacent to the boundaries of the PD Property be modified to provide for a public roadway connecting the Financial/Taylor/Wells Roadways with Clark Street along the alignment of the PD's northernmost Building Separation Zone (the "9th Street Roadway"), which roadway is comprised of the following 3 segments: the "East 9th Segment", located between Clark Street and Wells Street; the "Metra 9th Segment", located below the Metra tracks and embankment within an underpass; and the "Financial/9th Street Intersection Segment," located at the intersection of 9th Street and Financial Place.
- 3) The City has previously requested and approved, and Clark/Taylor has previously agreed to, an extension of the date required for commencement of the Wells Street improvements under the TIF Agreement in order to accommodate changes to the design of the Financial/Taylor/Wells Roadways which may arise as a result of the undertaking of the City and Clark/Taylor to develop the 9th Street Roadway.
- 4) The 9th Street Roadway will be a two lane public road; will include roadway, curb, gutter, sidewalk, parkway, street light and utility improvements; and will be designed and constructed in accordance with all applicable City, state and federal design standards and in accordance with the "Design Parameters" set forth in the memorandum dated May 6, 2003, from Commissioner d'Escoto to Commissioner Berg (a copy of which is attached hereto).
- 5) The Design Parameters include, among other things, establishment of a new grade level at no more than 42 inches below existing grade at the point of intersection of the centerline of the 9th Street Roadway and the centerline of the Metra tracks, which grade rises back to grade to the east and the west as quickly as possible consistent with generally accepted standards for good design (the "Maximum Depth Below Existing Grade").
- 6) Although not specifically stated in the attachment, the Design Parameters also contemplate (to accommodate a future Taylor Street bridge over the Chicago River) the establishment of a new grade level at no more than 24 inches above existing grade at the intersection of Taylor Street and Wells Street, which grade falls therefrom back as quickly as possible consistent

with generally accepted standards for good design and as necessary to provide continuous, safe and efficient flow of traffic between and amongst the Financial/Taylor/Wells and the Financial/9th Street Intersection Segment.

- 7) A portion of the PD Property, over and under which the City anticipates establishing a portion of the 9th Street Roadway, is subject to the Metra Permanent Easement for the location and use of its rail tracks (pursuant to instrument recorded on October 25, 2000 as Document No. 00838840 and pursuant to other related documents, if any) and also subject to the Metra Maintenance Easement for access to the rail facilities for maintenance purposes (pursuant to instrument recorded on October 25, 2002 as Document No. 00838841 and by instrument recorded on October 25, 2002 as Document No. 00838842 and pursuant to other related documents, if any).
- 8) The City may incorporate the relevant and key commitments and related conditions described in this letter in the "Future PD Amendment" (defined below).
- 9) The Future PD Amendment means the amendment to the PD for which Allright Corporation ("Allright"), a joint owner of a portion of the PD Property, intends to make application (with Clark/Taylor's consent) to permit the portion of PD Property located north of the centerline of the 9th Street Roadway, east of the Metra tracks (the northern Building Separation Zone) to be excluded from the PD, joined with other property Allright owns that is not in the PD and re-zoned to the C3-5 zoning district or such other district as Allright and the City may agree, and which amendment will also incorporate such other modifications to the PD as necessary to accommodate the exclusion of the aforesaid Allright property as necessary or appropriate.
- 10) Clark/Taylor anticipates filing, and will make good faith and reasonable efforts to file, an application with the City for the Future PD Amendment by the month of July, 2003 and the City and Clark/Taylor will make reasonable and good faith efforts to transmit the matter for consideration to the Chicago Plan Commission within approximately 3 months following the filing.

B. Clark/Taylor hereby commits to:

- 1) Dedicate to the City, at no cost to the City, a 66 foot right of way for the 9th Street Roadway (i.e., the East 9th Street Segment, the Metra/9th Street Segment Roadway and the Financial/9th Street Intersection Segment) within a time period to be stated in the Future PD Amendment; provided that:
 - i) Clark/Taylor has secured consents for the dedications for the express purpose of constructing and establishing a public roadway thereon, as of the time the dedications

are required to be made, from its lenders and the Allright Corporation and its lenders, together with consents from other private parties or entities who or which may have contractual rights affected by such commitments;

- ii) the dedications are permitted to be made by conveyance of a Quit Claim deed to the City;
 - ~~iii) the dedications will not include property previously dedicated including property~~
dedicated pursuant to instrument recorded December 11, 2002 as Document No. 0021366616;
 - iv) the City will vacate, at no cost to Clark/Taylor any property previously dedicated for the Financial/Taylor/Wells Roadways if, pursuant to the revised design, such property is no longer needed for public roadway purposes;
 - v) in the event that the City has not commenced substantial construction on the Metra/9th Street Segment within a period of ten years following the date of adoption of the Future PD Amendment, then title to the right of way dedicated by Clark/Taylor for said segment will revert to Clark/Taylor or its successors and assigns and the instrument of dedication will specify this condition;
 - vi) the dedications of right of way for the East 9th Street Segment and the Financial/9th Street Intersection Segment are not conditioned on the feasibility, funding or construction of the Metra/9th Street Segment improvements; and
 - vii) the City understands and acknowledges that portions of the proposed 9th Street Roadway are burdened by the Metra Permanent Easement and the Metra Maintenance Easement and that Clark/Taylor cannot take actions which would be in violation of those easements; provided, however, that Clark/Taylor agrees, so long as its actions would be consistent with and subject to the Metra Permanent Easement and the Metra Maintenance Easement and applicable law, that it will grant or dedicate such rights as Clark/Taylor may have, if any, to the City to establish the portions of the 9th Street Roadway to be constructed over, under or across the Metra Permanent Easement and the Metra Maintenance and Clark/Taylor further acknowledges that the City may seek and obtain from Metra the permission and right to establish the 9th Street Roadway over, under or across said easements.
- 2) Undertake and complete, at no cost to the City, the design and construction of the East 9th Street Segment in accordance with all applicable City, state and federal design standards and in accordance with the Design Parameters, prior to the initial occupancy of the first principal

and substantial structure on either Subarea VII or Subarea VIII of the Future PD Amendment and thereafter convey title to the built improvements to the City; provided that:

- i) Clark/Taylor is not prohibited from electing to construct the East 9th Street Segment at an earlier date; and
 - ii) the City gives reasonable consideration to reimbursing Clark/Taylor for the costs of ~~the improvements for the East 9th Street Segment through TIF funds.~~
-
- 3) Undertake and complete, at no cost to the City, the design and construction of the Financial/9th Street Intersection Segment in accordance with all applicable City, state and federal design standards and in accordance with the Design Parameters, within the time period that the Financial/Taylor/Wells Roadways are to be constructed pursuant to the TIF Agreement, but not later than the initial occupancy of the first principal and substantial structure on either Subarea III or Subarea IV of the Future PD Amendment and thereafter convey title to the built improvements to the City; provided, that:
 - i) The City approves modifications to the TIF Agreement and its exhibits as necessary or appropriate to permit the construction of the Financial/9th Street Intersection Segment and to accommodate changes to the development schedule arising from the 9th Street Roadway undertaking; and
 - ii) 3rd parties who may have contractual rights approve such modifications.
 - 4) Undertake and complete, at no cost to the City, modifications to the design of the Financial/Taylor/Wells Roadways necessary to accommodate the new 9th Street Roadway and the new grade level at the intersection of Wells Street and Taylor Street in accordance with all applicable City, state and federal design standards and in accordance with the Design Parameters, and construct said Roadways by the date required by the TIF Agreement, as it may be amended pursuant to this letter, and thereafter convey title to the built improvements to the City; provided that if the City and Clark/Taylor establish that the modifications to design described above result in a "re-do" of design work that Clark/Taylor previously completed, then Clark/Taylor and the city will mutually determine the value of the "re-do" work and the City will make best and diligent efforts to reimburse Clark/Taylor for that value through TIF funds or other sources.
 - 5) Designate and make available to the City, at Clark/Taylor's sole cost, a qualified person responsible for coordination with the City of design and construction oversight matters during the process of designing and constructing the public improvements described by this letter.

- 6) Incorporate in the Future PD Amendment a provision requiring that a covenant, enforceable by the City, be established and recorded against the relevant portions of the PD Property to provide notice to future purchasers of the requirements described by this letter for the dedication of land and for obligations to design and construct public roadway improvements.
- 7) Clark/Taylor will undertake the actions described in Sections B.1 through B.7 of this letter subject to the following additional conditions:

(a) Clark/Taylor will have no obligation to construct or pay for the feasibility investigation, the design or construction of the Metra/9th Street Segment or any other costs associated with the improvements therefor nor will Clark/Taylor have any obligation to obtain rights or approvals necessary for the Metra/9th Street Segment; provided, however, that Clark/Taylor will be obligated, as described in, and subject to the conditions of Section B.2 above of this letter, to dedicate the Metra/9th Street Segment right of way and to cooperate in joint negotiations with Metra, if needed.

(b) In no event will the 9th Street Roadway be established and constructed by the City or by any other party at a grade which is lower than the Maximum Depth Below Existing Grade without the written consent of Clark/Taylor which consent Clark/Taylor will have no obligation to grant.

(c) The City and Clark/Taylor will mutually, reasonably and in good faith cooperate with each other to take the actions necessary and appropriate to implement the provisions and intent of this letter including, without limitation, the following:

1. Clark/Taylor will make diligent efforts to obtain the approvals needed for the dedication of land described in Section B.1(i) of this letter; and
2. The City will promptly accept the dedications of land and the conveyances of title to public improvements (if the improvements have been constructed in accordance with applicable standards); will promptly review plans and specifications for public improvements required by this letter; and will promptly process the Future PD Amendment.

(d) The Future PD Amendment will incorporate and reflect revisions to the PD which eliminate the requirements associated with the establishment and construction of an underpass or an overpass across the Metra tracks for a pedestrian pathway in the vicinity of Taylor Street because the City has now determined that such an improvement is no longer necessary.

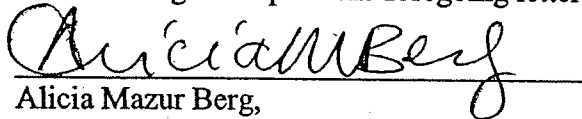
Very truly yours,

PIPER RUDNICK


Rick Wendy

cc: (all with attachments)
Jack Swenson
Miguel d'Escoto
Stan Kaderbek
Terri Texley
Fred Deters
Daniel Walsh
James Miller
Dick Shields
Andrew Scott

I acknowledge receipt of the foregoing letter and I accept its provisions.



Date: 5/27/03

Alicia Mazur Berg,
Commissioner, Department of Planning and Development



City of Chicago
Richard M. Daley, Mayor

Department of Transportation

Miguel d'Escoto
Commissioner

S. L. Kaderbek, S.E., P.E.
Deputy Commissioner/Chief Engineer

Bureau of Bridges and Transit
Suite 500

30 North LaSalle Street
Chicago, Illinois 60602-2570

(312) 744-3591
(312) 745-3116
(312) 744-3958 (FAX)
(312) 744-7215 (TTY)

www.cityofchicago.org/transportation

MEMORANDUM

To: Alicia Mazur-Berg, Commissioner
Department of Planning and Development

From: Miguel d'Escoto, Commissioner *md'E*
Department of Transportation

Date: May 6, 2003

Subject: 9th Street, Financial Place to Clark Street

~~We have reviewed the proposed agreement between the City and Clark/Taylor,~~
LLP as it relates to the proposed extension of 9th Street between the realigned Financial Place and Clark Street at the north edge of Clark/Taylor's property. Based on the information we presently have concerning the future alignment of Financial Place, the elevation of the existing Metra tracks over the proposed 9th Street, we believe the following can be achieved:

- Approximately 12'-0" clear under Metra's existing alignment
- A one foot raise in the elevation of the Metra tracks over 9th Street
- Overall depth of track structure is about 3'-6"
- Financial Place will need to be lowered about 3'-6" at the centerline which would be offset about 45 feet west of the existing centerline of the Metra tracks
- 9th Street would be back at grade approximately 160 feet from the centerline of the existing Metra tracks

Please insure that CDOT is able to preserve the necessary rights-of-way to allow the proposed 9th Street to proceed.

Originated by:

S.L. Kaderbek, S.E., P.E.
Deputy Commissioner/Chief Engineer
Bureau of Bridges and Transit

cc: Chron
Clark/Roosevelt file
R. Loomis

J. Swenson
G. Borovilos

T. Texley
J. Harmening

This document is incorporated in Residential
Business Planned Development No. 523,
as amended Dec. 17, 2003,
by reference in Statement No. 18.

Page 10 of 16





City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Alicia Mazur Berg
Commissioner

121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190
(312) 744-2271 (FAX)

<http://www.cityofchicago.org>

May 23, 2003

Mr. David Reifman
Piper Rudnick
203 N. LaSalle Street, Suite 1800
Chicago, IL 60601-1293

This document is incorporated in Residential
Business Planned Development No. 523,
as amended Dec. 17, 2003,
by reference in Statement No. 19.

Page 1 of 1.

Re: Site Plan Approval for Residential-Business Planned
Development No. 523, As Amended (LaSalle Park); Subarea
5

Proposal: The construction of a two (2) story, one-hundred
seventy-nine thousand, eight-hundred and eleven (179,811)
square-foot commercial building and a three (3) story parking
facility which contains four-hundred and ten (410) parking
spaces.

Location: The property located at the northwest corner of
Roosevelt Road and Clark Street

Dear David:

We have reviewed the Site Plan, Landscape Plan, and Building Elevation Plans submitted by you for the construction of a two (2) story, one-hundred seventy-nine thousand, eight-hundred and eleven (179,811) square-foot commercial building and a three (3) story parking facility which contains four-hundred and ten (410) parking spaces within Subarea 5 of the Planned Development area. These plans prepared by RSP Architects, dated April 18, 2003, are submitted in accordance with Statement No. 12 of Residential-Business Planned Development No. 523, as amended and the Administrative Relief granted May 22, 2003.

Upon review of the material submitted, the Department of Planning and Development has determined that these plans are consistent with and satisfy the requirements of the Plan of Development. Accordingly, this Site Plan submittal for Residential-Business Planned Development No. 523, Subarea 5, for the construction of a two (2) story, one-hundred seventy-nine thousand, eight-hundred and eleven (179,811) square-foot commercial building and a three (3) story parking facility which contains four-hundred and ten (410) parking spaces and five (5) loading berths, is hereby approved as conforming to the Plan of Development as amended and passed by the Chicago City Council on January 20, 1999.

Very truly yours,

Alicia Mazur Berg
Commissioner

cc. Jack Swenson, Ed Kus, Philip Levin, Tim Bleuher, Michael Marmo, Terri Texley





City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Alicia Mazur Berg
Commissioner

121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190
(312) 744-2271 (FAX)

<http://www.cityofchicago.org>

May 22, 2003

Target Corporation
c/o David L. Reifman, Esq.
Piper Rudnick
203 North LaSalle Street
Chicago, Illinois 60601

This document is incorporated in Residential
Business Planned Development No. 523,
as amended Dec. 17, 2003,
by reference in Statement No. 19.

Page 1 of 3.

Re: Request for Zoning Clarification and Minor Change to
Residential-Business Planned Development No. 523
(LaSalle Park) regarding Subarea V, as adjusted

Dear Mr. Reifman:

Please be advised that the Department of Planning and Development has considered your requests for: (A) clarification and confirmation of development rights and obligations under Residential-Business Planned Development No. 523, as amended ("RBPDP No. 523"); and (B) certain minor changes pursuant to Statement No. 13 of RBPDP No. 523 and Section 11.11-3(c) of the Chicago Zoning Ordinance with respect to RBPDP 523.

Specifically, you have indicated that Target Corporation, a Minnesota corporation or its successors and/or assigns ("Target") proposes to acquire and develop Subarea V of RBPDP No. 523 (as further defined below, "Subarea V") in conformity with the Site Plan, Landscape Plan, and Building elevation Plans submitted by RSP Architects, dated April 18, 2003. (collectively, the "Target Store Plans").

As used herein, the term "Subarea V" shall mean Subarea V of RBPDP No. 523 with the adjusted northerly boundary depicted on the Site Plan submitted by RSP Architects, dated April 18, 2003.. "Property" shall refer to the overall Property within the boundaries of RBPDP No. 523. The term "Balance Property" shall refer to all portions of the Property other than Subarea V. The term "Southerly Business Separation Zone" shall refer to the most southerly of the three (3) business separation zones referenced in RBPDP No. 523 within the Property (as adjusted to conform to the expanded boundaries of Subarea V), the south half of such Southerly Business Separation Zone being the most northerly thirty-three (33) feet of (expanded) Subarea V.



A. ZONING CLARIFICATIONS

Development Rights for Subarea V. You have requested certain clarifications and confirmations regarding an allocation of development rights for Subarea V. In accordance with the applicable provisions of RBPd No. 523, the following development rights shall be permitted in and allocated to Subarea V, provided that Target shall not be obligated to use all or any portion of the described rights:

- i. Maximum Floor Area Ratio of 6.39; and
- ii. One (1) curb-cut along Clark Street of the three (3) curb-cuts contemplated by Statement No. 10(c) of RBPd No. 523.

Development Conditions for Subarea V. Statement No. 11 of RBPd No. 523 provides that prior to occupancy of any building or use of the property within RBPd No. 523, improvements "necessary to serve or accommodate said building or use shall be in place and available for use". Subsections (a) and (b) of Statement No. 11 describe certain specific improvements within RBPd No. 523 and the phasing for such improvements. We acknowledge and confirm that Statement No. 11 shall only require Target to: (i) install those public improvements, if any, required pursuant thereto within the boundaries of Subarea V (including, as applicable, the roadway improvements in the southerly half of the Southerly Business Separation Zone located within Subarea V); and (ii) install the roadway improvements on the northerly half of the Southerly Business Separation Zone. (In addition, although not set forth in Statement No. 11, by separate correspondence, Target has agreed to reimburse the City for the costs of the three way traffic signal to be located on Clark Street at Station 206+25 approximately 625 feet north of Roosevelt Road at the entrance to the Southerly Business Separation Zone). We further acknowledge and confirm that Target shall have no obligation to contribute to the payment of or to undertake the construction of any of the other public or private improvements to be constructed on the Property or within adjacent rights-of-way, including but not limited to the Property's other two (2) business separation zones, the City's Open Space Impact Fee or the Subarea II park area, the Tunnel, Clark Street or Roosevelt Road improvements.

In addition, we acknowledge and confirm that any violations of the provisions of RBPd No. 523 relating to the Property or the Balance Property shall not be deemed to be violations by Subarea V or by Target and shall not trigger a revocation of RBPd No. 523 or other penalty with respect to Subarea V. The foregoing shall apply to all of the Statements of RBPd 523, including but not limited to Statement Nos. 6 (signage), 7 (roadways), 8 (building heights), 9 (floor area ratio), 10 (site design), 11 (site improvements), 16 (phasing), 17 (residential dwelling unit types), and 18 (children's day care facility).

Zoning Control Party. Upon its acquisition thereof, Target shall be the "zoning control party" for Subarea V.

B. MINOR CHANGES

With regard to Target's request for Minor Changes, the Department of Planning and Development has determined that the following two modifications each constitute a minor change pursuant to Section 11.11-3(c) of the Chicago Zoning Ordinance. Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance, I hereby approve the following two minor changes, but no other changes to RBPDP 523.


Maximum Percentage of Site Coverage. Notwithstanding the terms and provisions of the Bulk Regulations and Data Table, the Maximum Percentage of Site Coverage Ratio for Subarea V shall be 73%. In furtherance of the foregoing, and notwithstanding the terms of Statement No. 2 which may be to the contrary, the Net Site Area of Subarea V shall be deemed to be 164,915 square feet for the purpose of calculating Percentage of Site Coverage (i.e., the Net Site Area of Subarea V shall not be deemed to be reduced by the area along its easterly side, if any, that may be dedicated as public right-of-way to expand Clark Street, currently anticipated to be approximately 2,795 square feet).

Minimum Streetscape Dimensions. Notwithstanding the terms and provisions of the Bulk Regulations and Data Table, the Minimum Streetscape Dimensions for Subarea V (including but not limited to those Minimum Streetscape Dimensions relating to Private Drives, Roosevelt Road and Clark Street) shall be as depicted in the Target Store Plans.

The matters contained in this letter shall inure to the benefit of Target from and after its acquisition of Subarea V. Except as set forth in the foregoing provisions of this letter, Target has indicated that its proposal for Subarea V will conform with the requirements of RBPDP 523 in all other respects.

Please note that Part II approval by the Department of Planning and Development is still required for Subarea V. Subject to Department confirmation that submitted plans conform to RBPDP 523, the provisions of this letter and any other approved administrative changes, the Department would grant interim approvals prior to Part II approval, including foundation, caisson, and superstructure with subsequent construction occurring at Target's own risk.

Very truly yours,



Alicia Mazur Berg
Commissioner

Cc: Jack Swenson, Philip Levin, Miguel D'Escoto, Edward Kus



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Alicia Mazur Berg
Commissioner

121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190
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<http://www.cityofchicago.org>

May 23, 2003

Mr. David Reifman
Piper Rudnick
203 N. LaSalle Street, Suite 1800
Chicago, IL 60601-1293

Re: Site Plan Approval for Residential-Business Planned Development No. 523, As Amended (LaSalle Park); Subarea 5

Proposal: The construction of a two (2) story, one-hundred seventy-nine thousand, eight-hundred and eleven (179,811) square-foot commercial building and a three (3) story parking facility which contains four-hundred and ten (410) parking spaces.

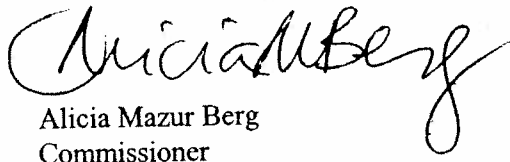
Location: The property located at the northwest corner of Roosevelt Road and Clark Street

Dear David:

We have reviewed the Site Plan, Landscape Plan, and Building Elevation Plans submitted by you for the construction of a two (2) story, one-hundred seventy-nine thousand, eight-hundred and eleven (179,811) square-foot commercial building and a three (3) story parking facility which contains four-hundred and ten (410) parking spaces within Subarea 5 of the Planned Development area. These plans prepared by RSP Architects, dated April 18, 2003, are submitted in accordance with Statement No. 12 of Residential-Business Planned Development No. 523, as amended and the Administrative Relief granted May 22, 2003.

Upon review of the material submitted, the Department of Planning and Development has determined that these plans are consistent with and satisfy the requirements of the Plan of Development. Accordingly, this Site Plan submittal for Residential-Business Planned Development No. 523, Subarea 5, for the construction of a two (2) story, one-hundred seventy-nine thousand, eight-hundred and eleven (179,811) square-foot commercial building and a three (3) story parking facility which contains four-hundred and ten (410) parking spaces and five (5) loading berths, is hereby approved as conforming to the Plan of Development as amended and passed by the Chicago City Council on January 20, 1999.

Very truly yours,


Alicia Mazur Berg
Commissioner

cc. Jack Swenson, Ed Kus, Philip Levin, Tim Bleuher, Michael Marmo, Terri Texley



*Reclassification Of Area Shown On Map Number 2-F.
(As Amended)
(Application Number 12356)*

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the Residential Business Planned Development Number 523 symbols and indications as shown on Map Number 2-F in the area bounded by:

West Polk Street; South LaSalle Street; a line 258.501 feet south of and approximately parallel to West Polk Street; a line 125.683 feet east of and approximately parallel to South LaSalle Street; a line 398.046 feet north of and approximately parallel to West Taylor Street; South Clark Street; West Roosevelt Road; a line 733.363 feet west of and approximately parallel to South Clark Street; South Wells Street; a line 323.561 feet north of and approximately parallel to West Taylor Street; and the alley next east of South Wells Street,

to those of an amended Residential Business Planned Development which is hereby established in the area described above subject to such use and bulk regulations as are set forth in the Plan of Development attached hereto and to no others.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

Residential-Business Planned Development Number 523, As Amended.

Plan Of Development Statements.

1. The area delineated herein as Residential-Business Planned Development (the "Planned Development") consists of approximately 1,040,886 square feet (23.895 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property") and is owned or controlled by the applicant, W/H Limited Partnership Number 17.

2. The applicant shall obtain all official reviews, approvals and permits necessary to implement the development of the Property. Any dedication or vacation of streets or alleys or easements or any adjustment of rights-of-way depicted on the Right-of-Way Adjustment Map shall require a separate submittal on behalf of the applicant and approval by the City Council. Any areas to be dedicated shall be excluded and any areas to be vacated shall be included in determining the Net Site Area of this Planned Development.
3. The requirements, obligations and conditions within this Planned Development shall be binding upon the applicant, its successors and assigns and, if different than the applicant, the owners of record title to all of the Property and any ground lessors. All rights granted hereunder to the applicant shall inure to the benefit of the applicant's successors and assigns and if different than the applicant, then to the owners of record title to all of the Property and any ground lessors. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to the Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessors.

An agreement among property owners, the board of directors of any property owners association, or a covenant binding property owners, may designate the authorized party for any future amendment, modification or change.

4. This Planned Development consists of these eighteen (18) Planned Development Statements: and Existing Zoning Map; and Existing Land-Use Map; a Planned Development

Boundary and Property Line Map; a Right-of Way Adjustment Map; a Subarea Plan; a Landscape/ Streetscape Plan; a Conceptual Streetscape Section; a Public Right-of-Way Improvement Plan; a Public Intersection Improvement Plan; a Polk Street Pedestrian Improvements Plan; a Signage Standards Exhibit; a Building Signage Diagram; a C.T.A. Bus Turnaround Plan; and a Bulk Regulations and Data Table. The Planned Development is applicable to the area delineated herein and

these and no other controls shall apply. The Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a Planned Development.

5. The area within the Planned Development boundaries is divided into eight (8) subareas as indicated on the Subarea Plan. The following uses shall be permitted within all subareas except Subarea II:

dwelling units, business and professional offices, hotels and motels, retail and commercial uses, any use permitted in the B4-4 zoning district (except auto service stations and motor vehicle service/repair garages), open space and park uses, playgrounds, golf courses, tourist homes and lodging houses, hospitals, housing for elderly persons, indoor and outdoor athletic and recreational facilities, indoor and outdoor entertainment related uses, accessory and non-accessory off-street parking, restaurants and taverns including live entertainment and dancing, telecommunication antennae and facilities, theaters, day care centers, colleges, universities, schools of any type, churches, libraries, home occupations, philanthropic and eleemosynary uses and accessory uses.

The following uses shall be permitted within Subarea II:

publicly available open space, park uses and facilities, playgrounds, outdoor athletic and recreational uses, outdoor entertainment and related uses and facilities. No single floor of any single building shall be occupied by both residential and nonresidential uses, except as permitted by the Home Occupation provisions of the Chicago Zoning Ordinance.

6. Business and business identification signs and temporary signs, such as construction marketing signs, are permitted upon the Property subject to the review and approval of the Department of Planning and Development (the "Department"). Advertising signs shall not be permitted. Business signs consistent with the Signage Standards Exhibit and Building Signage Diagram are permitted. No business signs shall be permitted within Subarea II of the Property.

7. Any private roadway or any other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation and in compliance with the Municipal Code of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago. Vehicular ingress and egress shall be subject to the review and approval by the Bureau of Traffic Engineering and Operations of the Department of Transportation and by the Department. A continuous sidewalk shall be provided along all private streets (except along the Metra side of a public or private street) as necessary to assure pedestrian access between all development located along said private streets and the public way.
8. The height of each building and free-standing structure located upon the Property and any appurtenances attached thereto, shall be subject to the Bulk Regulations and Data Table as well as any height limitations established by the Federal Aviation Administration.
9. For purposes of maximum floor area ratio (F.A.R.) calculations, the definition contained in the Chicago Zoning Ordinance shall apply; provided, however, that (i) floor area within an office building devoted to mechanical equipment which exceeds five thousand (5,000) square feet in any single location shall not be included and (ii) floor area devoted to accessory off-street parking shall not be included. Transfer of floor area from one Subarea to another may be approved by the Department if it meets the criteria for minor changes set forth in Statement 13 hereof.
10. The improvements on the Property shall be designed, constructed and maintained in general conformance with the plans and exhibits set forth in Statement Number 4.

In addition, the development of the Property shall be subject to the following:

- (a) **Parking.** Off-street parking shall be provided upon the Property in accordance with the provisions of this statement and the Bulk Regulations and Data Table and shall also be subject to the standards set forth below:

- (i) Interim outdoor, at-grade, off-street parking existing on the Property on the date of this amended Planned Development may be maintained as is for a period not to exceed five (5) years; provided, however, that the Commissioner may authorize the continuation of such interim parking for additional periods where deemed appropriate. Any new interim outdoor, at-grade, off-street parking shall be located, landscaped and maintained in a manner consistent with the vehicular use area landscaping and screening provisions of the Chicago Zoning Ordinance and associated regulations.
- (ii) Permanent at-grade, off-street parking which is visible from a public right-of-way is permitted subject to the following limitations. Such parking shall be set back at least twenty (20) feet from any adjacent public right-of-way. Such setback shall be bermed to a height of at least two (2) feet above the grade of the adjacent sidewalk and shall be landscaped with one (1) two and one-half (2½) inch caliper tree for every twenty-five (25) feet of frontage along the public way, shrubs and ground cover to provide a continuous screen of at least two and one-half (2½) feet in height total, including the berm, so as to substantially screen the parking lot from view from the adjacent right-of-way. In addition to appropriate landscaping, a decorative fence a minimum of four (4) feet high shall be constructed along the top of the berm to further enhance the screening of the adjacent parking. In lieu of the screening described above, the Department may approve an alternative treatment including, but not limited to, vine-covered fences or trellises, structural walls or screens upon a finding that such alternative treatment would:
 - (1) provide an effective visual screen of the parking areas and parked automobiles;
 - (2) promote the physical definition of a continuous street wall;
 - (3) provide a visual effect which promotes and enhances the vehicular and pedestrian experience through the use of quality architectural and urban design; and

- (4) be appropriately designed and maintained to satisfy applicable building and/or landscape industry standards.
- (iii) Off-street parking required to serve uses developed on the Property shall be located on the same side of the Metra tracks as the use served. For residential uses, parking shall be located within six hundred (600) feet walking distance of the residential use served. Parking required to serve non-residential uses shall be located within one thousand five hundred (1,500) feet walking distance of the non-residential use served.
- (iv) The applicant is encouraged to conceal parking structures either by fronting them with habitable space or by enclosing the openings with glazing. Where the exterior walls of any parking structure face or will be substantially visible from a public right-of-way, such walls shall be designed and detailed to be similar in appearance to habitable spaces above, adjacent, or in the vicinity of the garage. Such similar design elements shall include, but not be limited to: materials, size, shape, number, and pattern of window openings, cornices, moldings, reveals, sills and other decorative surface treatments. Glazing at window openings is strongly encouraged. Window frames, metal screens or other decorative screening devices should be considered where glazing is not utilized. Ramps, cars and headlights shall be entirely screened and ceiling lights shall be substantially screened from view from pedestrians on the public way and from adjacent residential units.

Where parking structures are located in a building with one hundred (100) or more feet of frontage which fronts on Clark Street, Wells Street or Roosevelt Road, a minimum of twenty percent (20%) of the linear distance of said frontage shall be occupied by active uses. Active uses shall include lobbies, entry areas and passageways, elevator and stair areas, retail, services, restaurants, amusement establishments and

institutional or cultural uses. A minimum of seventy-five percent (75%) of the linear distance of said required active use shall be glazed with clear glazing between two (2) feet, six (6) inches and eight (8) feet, zero (0) inches above the sidewalk level. Access to parking structures may be located along any public or private street.

The following design features are strongly encouraged wherever feasible: set back of parking structures above ground floor retail with rooftop planting terraces.

- (v) The location of driveways serving any freestanding parking structure which contains more than seven hundred fifty (750) non-accessory parking spaces shall be subject to the review and approval of the Department of Transportation. In that connection, the Department of Transportation may request traffic impact data or analyses.
- (b) Loading. Off-street loading shall be provided upon the Property in accordance with this statement and with the Bulk Regulations and Data Table. All loading required by this Planned Development shall be located proximate to the building or use served. No loading areas shall be located facing Wells Street or Clark Street. The view of loading areas from other public streets shall be minimized through the use of landscaping and fencing.
- (c) Curb-cuts. Private roadways, driveways, entrances to off-street parking and to loading docks, openings for vehicular drop-offs and all other facilities requiring curb cuts shall be located to minimize conflicts with on-street traffic and with pedestrian circulation. Any required street tree removed or made infeasible due to location of a curb cut for a loading dock shall be provided elsewhere upon the Property. No

curb-cut shall be located along the boundaries of the Subarea II park area or within fifty (50) feet of any other curb-cut. All curb-cuts shall be constructed in accordance with the standards of the City of Chicago. No more than three (3) curb-cuts for private roadways (not including access for vehicular drop-off areas) shall be located along Clark Street.

(d) Landscaping.

(i) Landscaping shall be installed and maintained in accordance with the Conceptual Landscape/Streetscape Plan. Additionally, detailed landscape plans in accordance with Statement Number 12 hereof are to be submitted to determine compliance with this section. Parkway trees shall be installed and maintained in the public right-of-way adjacent to any development of the Property in accordance with the parkway tree planting provisions of the Chicago Zoning Ordinance and associated regulations. Open areas of the Property not otherwise devoted to permitted buildings, parking areas or pedestrian/vehicular circulation areas shall be landscaped to enhance the appearance of the development from the public street, to screen unattractive uses from the street and to provide buffers between adjacent uses. In connection with residential uses, adequate and appropriately designed open space shall be provided in the form of gardens, landscaped areas, children's play lots, playgrounds, and above-grade open space facilities (such as roof decks). Landscaping shall consist of grass, ground cover, shrubs, trees or other living plant materials. All landscaping shall be properly maintained at all times. The Metra embankment shall be screened with landscaping and shall be fenced as and to the extent depicted on the Conceptual Streetscape Section. Street trees shall be located in continuous raised planters in accordance with the Conceptual Streetscape Section.

(ii) Prior to development in accordance with an approved Site Plan, open areas of the Property shall be maintained with grass; provided, however, that the

following areas shall not be subject to this requirement: existing parking areas, roadways and other paved areas; areas occupied by existing foundations or other impediments to the growth of grass; areas occupied by the Metra facilities; existing public rights-of-way; and areas subject to covenants, easements or other restrictions inconsistent with the maintenance of grass. The initial planting of the grass where required shall be completed no later than one (1) year following adoption of this Planned Development.

- (e) **Building Design and Exterior.** The exterior walls of any structure, including walls and fences, facing or visible from the public way shall be designed and constructed to avoid a monotonous and blank appearance through the use of texture and detail, windows, openings, projections, recesses, offsets, variations to the parapet wall, variations in type or color of materials or other architectural devices.

The following design features are strongly encouraged wherever feasible: awnings; retail, office uses, lobby space or similar active uses at ground level; orientation and configuration of buildings located proximate to the south and east boundaries of the Subarea II park area to enhance sunlight onto the Subarea II park area; and cornice lines and other architectural devices to enhance pedestrian scale.

- (f) **Roosevelt Road Building Orientation and Entrances.** All buildings constructed adjacent to Roosevelt Road shall rise a minimum of one (1) story above Roosevelt Road, shall include pedestrian entrance from Roosevelt Road and shall otherwise be designed to promote an active pedestrian street level. Any such building with frontage along both Roosevelt Road and Wells Street shall, in addition to the entrance from Roosevelt Road, provide an entrance at grade level from Wells Street. Vertical transition from the Roosevelt Road level to the Wells Street level shall be included within any such building.
- (g) **Fencing materials facing all public streets and common open spaces shall be at least seventy percent (70%) transparent and no more than five (5) feet in height.**

(h) Open Space.

- (i) The Building Separation Zones depicted on the Subarea Plan shall be landscaped and improved in connection with adjacent development to provide appropriate pedestrian access to adjacent streets and private drives. Such Building Separation Zones shall be open in appearance and shall include no buildings, fences or similar obstructions. Other than areas within the zones which are improved with plazas, roadways, walks, pedestrian furnishing, lighting and related items, the zones shall be landscaped with plant material and other landscaping materials.
- (ii) Applicant acknowledges the shortage of public parks in the vicinity of the Property and shall comply with the applicable provisions of the City's Open Space Impact Fee Ordinance. Any open space provided upon the Property shall entitle the Applicant or its successors to a minimum credit of Three Hundred Thirteen Dollars (\$313) per eighty-seven (87) square feet of open space against the impact fees due, where the open space meets the following criteria:
 - minimum contiguous area of two thousand (2,000) square feet, or such larger area as may be required by future amendment to the applicable department regulations, but in no event more than four thousand (4,000) square feet.
 - minimum dimension of twenty-five (25) feet.
 - the open space is improved with landscaping, walkways or recreational facilities.
 - one (1) tree is provided within the open space for every one thousand (1,000) square feet of open space.
 - the open space is accessible to the residents of the Property and to the public.

The two and ninety-five hundredths (2.95) acre Subarea II park area complies with the aforesaid criteria and entitles Applicant or its successors to a minimum credit of Four Hundred Sixty-two Thousand Three Hundred Twelve and no/100 Dollars (\$462,312.00) against open space impact fees due for development anywhere upon the Property. If the Open Space Impact Fee Ordinance or associated regulations or instructions are or have been amended to provide for a credit which is greater than Three Hundred Thirteen and no/100 (\$313.00) per eighty-seven (87) square feet (whether by increasing the dollar value or decreasing the number of square feet), then Applicant shall be entitled to the full benefit of such greater credit.

Upon submission to and review by the Department of evidence of cost, the Applicant shall be entitled to additional credit against the open space impact fee for the dollar value of the recreational facilities provided upon the property (such as facilities related to tennis courts, basketball courts and children's play lots).

- (i) Particular Uses. Theaters containing more than one hundred (100) seats and freestanding telecommunications towers, because of their unique characteristics, shall be subject to additional review by the Department to establish that the impact of such uses at a particular location is not significantly adverse to public health, safety or welfare.
11. (a) Prior to occupancy of any building or use of the Property, improvements necessary to serve or accommodate said building or use shall be in place and available for use. Said improvements shall be designed, constructed and installed in accordance with applicable City standards, laws and regulations subject to the approval of the appropriate City departments and agencies, as required, as well as in conformance with applicable state and federal standards, regulations and laws. Improvements necessary to serve uses or buildings on the Property are the following: (i) the public roadway improvements depicted on the Public Right-of-Way Improvement Plan and Intersection Improvement Plan (including pavement, required turn lanes, curbs and gutters, traffic signals and sidewalks); (ii) the utilities necessary to provide potable water, sewer facilities, electric, gas, telephone and other

private utility facilities and services to the Property; (iii) the streetscape improvements (including sidewalks, streetlights and street trees) depicted on the Conceptual Landscape/Streetscape Plan; and (iv) the approximately two and ninety-five hundredths (2.95) acre Subarea II park area depicted on the Subarea Plan and the Conceptual landscape/Streetscape Plan.

(b) The following specific improvements shall be completed within the time periods described below. A "Development Parcel" means that portion of the Property located within a single subarea which is the subject of an application for Site Plan approval as described by Statement Number 12 of this Planned Development:

- (i) The new construction of, or improvements to, Wells Street, Taylor Street, Financial Place and Polk Street depicted on the Public Right-of-Way Improvement Plan, the Public Intersection Improvement Plan (including associated utilities) and the Polk Street Pedestrian Improvements Plan shall be completed (including property dedication and conveyance of improvements) no later than initial occupancy of the first principal structure constructed upon any portion of Subarea I, III or IV.
- (ii) The landscape and streetscape improvements depicted on the Conceptual Landscape/Streetscape Plan shall, for and to the extent such improvements are contiguous to a Development Parcel, be completed no later than six (6) months following initial occupancy of the first principal structure constructed upon said Development Parcel. Said improvements shall include both sides of any public roadway contiguous to said Development Parcel where both sides are located within the boundaries of this Planned Development.
- (iii) The new east/west alley from Wells Street to the existing north/south alley east of Wells Street, depicted on the Public Right-of-Way Improvement Plan, shall be completed no later than initial occupancy of the first principal structure constructed within any Development Parcel contiguous to said east/west alley.

- (iv) A temporary bus turnaround shall be provided at or near the terminus of Wells Street (extended) no later than the issuance of a building permit for the one hundred fiftieth (150th) dwelling unit on the Property so long as the Chicago Transit Authority has indicated its commitment in writing to continue to provide regular bus service in the area or extend service along Wells Street into the Property. Such temporary bus turnaround shall be located, designed and constructed in general accordance with the C.T.A. Bus Turnaround Plan (and shall include utility connections to utilities built within Wells Street right-of-way, but not including the washroom facility); provided that it shall not be located upon the Property and the Applicant shall have no liability or obligation for its maintenance, operation or security.
- (v) The improvements to the two and ninety-five hundredths (2.95) acre Subarea II park area depicted on the Conceptual Landscape/Streetscape Plan shall be completed no later than six (6) months following initial occupancy of the first principal structure constructed upon any portion of Subarea I or Subarea III. These improvements, which the Applicant voluntarily makes available for public use, are as follows: one (1) baseball field, two (2) tennis courts, two (2) basketball courts, a children's play lot and landscaping, all as depicted on the Conceptual Landscape/Streetscape Plan. Said list of improvements may be revised upon Applicant's request and Department approval following comments from the Chicago Park District, which approval shall not require the procedure described in Statement Number 13 of this Planned Development. Upon completion of said improvements, the Subarea II park area shall remain open to the public during those hours that similar parks owned and operated by the Chicago Park District remain open. Until and unless the Applicant elects to dedicate title to said park area to the City or the Chicago Park District and the City or the Chicago Park District accepts such dedication of title, the Applicant shall be responsible for the maintenance of said park. Applicant may elect to voluntarily dedicate to the City, the Chicago Park District or to another qualifying entity a conservation easement over the park area.

In the event that the City or the Chicago Park District accepts dedication of title of the park area, then notwithstanding any other provision of this Planned Development, the Net Site Area

of the Property, for purposes of calculating maximum Floor Area Ratio and Minimum Lot Area Per Dwelling Unit, shall be deemed to continue to include the area of said park so dedicated.

- (vi) The City believes that at such time as a sufficient population of residents exists within Subareas V and VI, it is desirable for the residents located to have convenient and proximate access to the Subarea II park area. Accordingly, upon the completion of construction of the second residential building built upon Subareas V and VI of the Property (the "Trigger Date"), if any, (including buildings with ground floor commercial uses, but not including buildings located within the Low Height Zone as depicted on the Subarea Plan), Applicant shall pay twenty-five percent (25%) of the cost, but in no event greater than One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000), for the design and construction of a public, pedestrian tunnel under the Metra tracks (the "Tunnel"), subject to the following conditions and requirements:
- (1) The aforesaid obligation (and the Letter of Credit described in subparagraph (8) below) shall terminate and be null and void if the City fails to achieve Substantial Completion of the Tunnel with three (3) years following the Trigger Date.
 - (2) The Applicant shall designate the location of the Tunnel within a zone which is bounded by a line one hundred (100) feet to the north of and a line one hundred (100) feet to the south of the centerline of the existing Taylor Street right-of-way;
 - (3) The Applicant shall, to the extent it may have the right to do so and to the extent necessary, permit public pedestrian access across and under the portion of the Property burdened by the existing Metra railroad easement or Metra railroad facilities, and if requested by the City grant an easement, for the purpose of allowing the City to construct and the public to use the Tunnel;
 - (4) The Tunnel shall be constructed and owned by the City of Chicago and maintained by the City in a safe, sound and sanitary condition at all times (and if not so

maintained), the Applicant shall have the right (but not the obligation) to provide such maintenance;

- (5) The City shall be responsible to obtain any and all required rights and approvals to construct, operate and maintain the Tunnel including, but not limited to, rights and approvals from Metra;
 - (6) The aforesaid public use and construction of the Tunnel shall not disrupt, endanger or threaten the Applicant's use and enjoyment of the Property;
 - (7) The Applicant shall be provided with timely opportunity to review and comment on the preliminary and final design and specification documentation for the Tunnel;
 - (8) No earlier than the Trigger Date, and only after written request from the City, Applicant shall provide the City with a Letter of Credit authorizing the draw down of the funds in accordance with this subsection (vi), solely as and to the extent that valid and appropriate invoices are presented for construction on the Tunnel which work has been properly completed in accordance with the construction documents;
 - (9) The Tunnel shall be deemed a public infrastructure improvement appropriate in connection with the development of the Property and nothing herein shall be construed to preclude the Applicant from seeking reimbursement for the aforesaid funds from the City under any applicable program or authorization.
12. Prior to issuance by the Department of a determination pursuant to Section 11.11-3(b) of the Chicago Zoning Ordinance ("Part II approval") for any development of the Property, a Site Plan for proposed development shall be submitted to the Department of Site Plan approval. Site Plan approval is intended to assure that specific development proposals conform with this Planned Development and to assist the City in monitoring ongoing development. A Site Plan may be submitted for all or any part of the Property. Such Site Plan need only include the area within the Development Parcel, and required improvements described in Statement Number 11 above, for which approval is being sought by the Applicant. No Part II approval for

development with a Development Parcel upon the Property shall be granted until an applicable Site Plan has been approved.

If a Site Plan substantially conforms with the provisions of this Planned Development, the Department shall approve said Site Plan. Following approval of a Sight Plan by the Department, the Site Plan shall be kept on permanent file with the Department and shall be deemed to be an integral part of this Planned Development.

After approval of a Site Plan by the Department, the approved Site Plan may be changed or modified pursuant to the provisions of Statement Number 13 of this Planned Development. In the event of any inconsistency between an approved Site Plan and the terms of the Planned Development in effect at the time of approval of such Site Plan or of the modifications thereto, the terms of the Planned Development shall govern.

A Site Plan shall, at a minimum, provide the following information with respect to the proposed improvements within the boundaries of a Development Parcel and including any improvements required by this Planned Development not located within the Development Parcel:

- (a) building elevations;
- (b) footprint of the improvements;
- (c) preliminary landscaping plan;
- (d) pedestrian circulation;
- (e) preliminary cross-sections of the improvements; and
- (f) statistical information applicable to the Development Parcel including floor area and floor area ratio, uses to be established, building heights and setbacks.

A Site Plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of the Planned Development.

13. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department upon the request of the Applicant and after a determination by the Commissioner of the department that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated herein. Such modifications include, but are not limited to, those specifically authorized by the other provisions of this Planned Development. Any such modification shall be deemed a minor change in the Planned Development as contemplated by Section 11.11-3(c) of the Chicago Zoning Ordinance. Notwithstanding the provisions of subclauses 4 and 5 of the Section 11.11-3(c) of the Chicago Zoning Ordinance, such minor changes may include a reduction in the minimum required distance between structures, a reduction in periphery setbacks and an increase of the maximum percent of land covered.

Without requirement of the approval described in this Statement Number 13 above, Applicant may elect to make the following adjustments to the aforesaid exhibits:

- (a) The location of the two and ninety-five hundredths (2.95) acre Subarea II park area depicted on the Subarea Plan and on the Conceptual Landscape/Streetscape Plan may be adjusted within the "Park Zone" depicted on the Subarea Plan; provided that the relocated park area shall not be less than two and ninety-five hundredths (2.95) acres in size. The boundaries of Subarea I and III, the associated parameters contained in the Bulk Regulations and Data Table, and the location of Taylor Street shall be adjusted as necessary to accommodate any such location adjustment.
- (b) The location of any or all of the three (3) Building Separation Zones depicted on the Subarea Plan and the Conceptual Landscape/Streetscape Plan may be adjusted in a northerly or southerly direction; provided that (i) each such zone shall be no less than sixty-six (66) feet in width and shall extend from Clark Street to the Metra tracks and (iii) the distance between Building Separation Zones and the distance between any Building Separation Zone and the northern and southern boundaries of the Property shall not be less than one hundred (100) feet; and (iii) the location of the centerline of the middle of the three (3) zones shall be no further

north or south of the centerline of the existing Taylor Street right-of-way than one hundred (100) feet. The boundaries of Subareas V, VI, VII and VIII and the associated parameters contained in the Bulk Regulations and Data Table shall, in connection with the applicable application for Site Plan approval, be depicted to be adjusted as necessary to accommodate any such location adjustments.

- (c) The location of Financial Place as depicted on the Subarea Plan, the Landscape/Streetscape Plan and the Public Right-of-Way Improvement Plan may be adjusted to the alternate alignment depicted on said exhibits.
- 14. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which promotes and maximizes the conservation of energy resources. The Applicant shall use best and reasonable efforts to design, construct and maintain all new buildings to be located within this Planned Development in an energy efficient manner, generally consistent with most current energy efficiency standards published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers ("A.S.H.R.A.E.") and the Illuminating Engineering Society ("I.E.S."). Copies of these standards may be obtained from the Department.
- 15. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the property. Plans for all buildings and improvements on the property shall be reviewed and approved by the Mayor's Office for People with Disabilities (M.O.P.D.) to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 11.11-3(b) of the Chicago Zoning Ordinance until the M.O.P.D. has approved detailed construction drawings for each building or improvement.
- 16. The Property is intended to be developed in phases extending over periods of time. This statement describes the schedule for commencement of development of those phases.

- (a) Initial Period. Unless substantial construction has commenced upon a minimum of two hundred fifty thousand (250,000) square feet of floor area within six (6) years of the effective date of this amended Planned Development, this Planned Development shall expire upon the sixth (6th) anniversary of the effective date hereof. If this Planned Development expires pursuant to the foregoing provision, the zoning of the Property shall automatically be classified as that of the C3-4 Zoning District.
 - (b) Subsequent Periods. Unless substantial construction has commenced and been diligently pursued after the Initial Period on a minimum of five hundred thousand (500,000) square feet of floor area within ten (10) years of the effective date hereof, seven hundred fifty thousand (750,000) square feet of floor area within fifteen (15) years of the effective date hereof and one million (1,000,000) square feet of floor area within twenty (20) years of the effective date hereof (the "Subsequent Periods") the Department may decide to review and recommend modification of the provisions of this Planned Development in whole or in part. The Department's determination that the Planned Development ordinance must be reviewed and shall be reflected in an application filed by the City for a Planned Development amendment, with the City being deemed the applicant and providing such notice as may be required by law. Not less than thirty (30) days before filing any such application for amendment to the Planned Development, the Department shall provide the Applicant with a copy of the draft application for amendment.
17. The Applicant acknowledges that the operation of a children's day care facility may be a desirable component of a residential community. Accordingly, at a minimum, the first (1st) building to be built upon the Property, following construction of the five hundredth (500th) dwelling unit on the Property, which contains a minimum of two hundred fifty (250) dwelling units shall incorporate space suitable for day care purposes. Said space shall be located on the ground floor, shall be proximate to an area of outdoor landscaped open space and shall otherwise be suitable for the establishment and operation of a day care facility. The Applicant shall make good faith efforts to market said space for rental or sale, as the case may be, to operators of day care facilities. If, after having marketed the day care space for at least thirty-six (36) months (including marketing prior to, during and after construction of the project), the space has not been rented or sold for the purpose of operation of a day care facility, the Applicant may apply for a permanent waiver of this requirement

under the minor change provisions of Statement Number 13 hereof. Said application shall include written documentation of the aforesaid marketing efforts. If the Commissioner determines that the marketing efforts have been undertaken in good faith, the Commissioner shall grant the permanent waiver.

18. The Applicant acknowledges that the opportunity for residential units larger than one (1) bedroom units is a component of attracting families to a residential community. Accordingly, for each building containing residential units upon the Property, a minimum of twenty percent (20%) in the aggregate of all the dwelling units within all of the buildings in each phase of development, as described at the time of Site Plan approval, shall be of a sufficient size to accommodate either three (3) bedrooms or two (2) bedrooms or any combination thereof ("Large Units"). If any Large Units have not been rented or sold, as the case may be, after having marketed them in good faith for at least eighteen (18) months following completion of construction (including pre-construction marketing in the case of owner-occupied units), the Applicant may apply for a permanent waiver of this requirement under the minor change provisions of Statement Number 13 hereof. Said application shall include written documentation of the aforesaid marketing efforts. If the Commissioner determines that the marketing efforts have been undertaken in good faith, the Commissioner shall grant the permanent waiver.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Right-of-Way Adjustment Map; Subarea Plan; Conceptual Landscape/Streetscape Plan; Conceptual Streetscape Section; Public Right-of-Way Improvement Plan; Public Intersection Improvement Plan; Polk Street Pedestrian Improvement Plan; Building Signage Diagram; and Chicago Transit Authority Bus Turnaround Plan referred to in these Plan of Development Statements printed on pages 88358 through 88369 of this Journal.]

Bulk Regulations and Data Table and Signage Standards referred to in these Plan of Development Statements read as follows:

Bulk Regulations And Data Table. RBP D No 523, AA

Overall Property.

Approximate Gross Site Area: 1,219,138 square feet (27.988 acres).

Approximate Area To Remain in
Public Right-of-Way: 178,252 square feet (4.092 acres).

Net Site Area: 1,040,886 square feet (23.895 acres).

Maximum Overall Floor
Area Ratio: 5.5.

Maximum Floor Area Ratio
per Subarea: 6.39, except that in Subarea II, the
maximum shall be 0.

Maximum Overall Percentage
of Site Coverage: 65%.*

Maximum Building Height: 380 feet, except in that Low Height
Zone depicted on subarea exhibit, the
maximum height shall be as follows:

-- adjacent to Clark Street:

-- 15 feet or closer to Clark
Street right-of-way: 55
feet.

-- more than 15 feet from
Clark Street right-of-
way: 120 feet.

-- adjacent to Wells Street:

-- 120 feet.

1/20/99

REPORTS OF COMMITTEES

88353

| | |
|--|---|
| Maximum Number of Dwelling Units: | 4,700. |
| Minimum Lot Area Per Dwelling Unit: | 200 square feet. |
| Minimum Width of Building Separation Zone (depicted on Subarea Exhibit): | 66 feet. |
| Minimum Distance between Front or Rear Walls of Townhouses: | In accord with R5 requirements. |
| Minimum Streetscape Dimensions: | <p>Between face of building and the curb of the adjacent public street or private drive: 16 feet (except along Roosevelt Road which shall be 30 feet and Clark Street which shall be 20 feet). **</p> <p>Sidewalks along public street or private drive: 6 feet (but not required along the Metra tracks).</p> <p>Parkway planting strip adjacent to sidewalk: 5 feet (but not required along the Metra tracks).</p> <p>Carriage walk adjacent to curb: 1.5 feet (but not required along the Metra tracks).</p> |
| Minimum Number of Parking Spaces: | <p>Residential uses: 1/dwelling unit for first 50 dwelling units per subarea; 0.55/dwelling units for each additional dwelling unit per subarea.</p> <p>Office uses: 1.8/1,000 square feet.</p> <p>Retail uses: 0.4/1,000 square feet for 25,000 square feet and under per subarea; 3/1,000 square feet over 25,000 square feet per subarea.</p> |

| | |
|-----------------------------------|--|
| Other Permitted Uses: | Per C3-4 zoning requirements. |
| Minimum Number of Loading Berths: | As required in C3-4 zoning district. |
| Maximum Office Floor Area: | Subareas I, III and IV: 2,500,00 square feet aggregate. Subareas V, VI, VII and VIII: 350,000 square feet aggregate.*** |

Subareas.

Subarea I.

| | |
|--------------------------------------|----------------------|
| Net Site Area: | 208,220 square feet. |
| Maximum Percentage of Site Coverage: | 63%. |
| Maximum Number of Dwelling Units: | 1,091. |

Subarea II.

| | |
|----------------|----------------------|
| Net Site Area: | 148,346 square feet. |
|----------------|----------------------|

-
- * Site coverage per Subarea may be exceeded if the criteria for minor changes in Statement 10 are satisfied.
 - ** Balconies, terraces, stairs, window bays and other such appurtenances may extend into this setback area, but not over sidewalk or planting strip areas.
 - *** Shall be increased to 1,750,000 square feet if Clark Street is widened to six lanes between Polk Street and Roosevelt Road; shall be increased to 2,000,000 square feet if Clark Street is widened to six lanes between Polk Street and Roosevelt Road and either a Roosevelt Road/Wells Street ramp connection or a Wells Street/Wentworth connector is built.

1/20/99

REPORTS OF COMMITTEES

88355

Maximum Percentage of Site
Coverage: 0%.

Maximum Number of Dwelling
Units:

0.

Subarea III.

Net Site Area: 74,350 square feet.

Maximum Percentage of Site
Coverage: 74%.

Maximum Number of Dwelling
Units: 390.

Subarea IV.

Net Site Area: 78,280 square feet.

Maximum Percentage of Site
Coverage: 78%.

Maximum Number of Dwelling
Units: 410.

Subarea V.

Net Site Area: 132,610 square feet.

Maximum Percentage of Site
Coverage: 69%.

Maximum Number of Dwelling
Units: 695.

Subarea VI.

Net Site Area: 145,930 square feet.

Maximum Percentage of Site
Coverage: 61%.

Maximum Number of Dwelling
Units: 765.

Subarea VII.

Net Site Area: 119,930 square feet.

Maximum Percentage of Site
Coverage: 58%.

Maximum Number of Dwelling
Units: 629.

Subarea VIII.

Net Site Area: 133,220 square feet.

Maximum Percentage of Site
Coverage: 57%.

Maximum Number of Dwelling
Units: 727.

Signage Standards.

Primary Building Identification.

Identification signs for a building name or building owner's corporate name may be placed directly above a building's entrance (see Building Signage Diagram). Such signs can be a maximum of three (3) feet high with only one sign per building facade allowed. If necessary for visibility, such signs can be placed away from a main entrance on the building base.

If illuminated, such signs must be backlit. They shall be surface mounted and integrated into the design of the building's facade. Such signs can incorporate

a building or company's identity colors, logos and typeface. Address numbers shall be included at all entrances to buildings.

Miscellaneous Tenant Identification.

All building signage other than the main and secondary building identification signs shall be restricted to a common "sign band" established around the bases of buildings. The sign band will be located directly above storefront windows at the same height from storefront to storefront (see Building Signage Diagram).

Signs placed within the sign band shall be a maximum height of two (2) feet and protrude no more than eight (8) inches from the face of the building. If illuminated, such building signs shall be backlit.

If awnings are to be constructed on the first level, signage no taller than one (1) foot can be applied on the vertical fringe of the awning. The bottom edge of awnings shall be eight (8) feet above adjacent grade level and shall align with adjacent awnings.

No temporary signs can be displayed or applied on buildings, awnings, canopies or windows.

Freestanding Ground Signs.

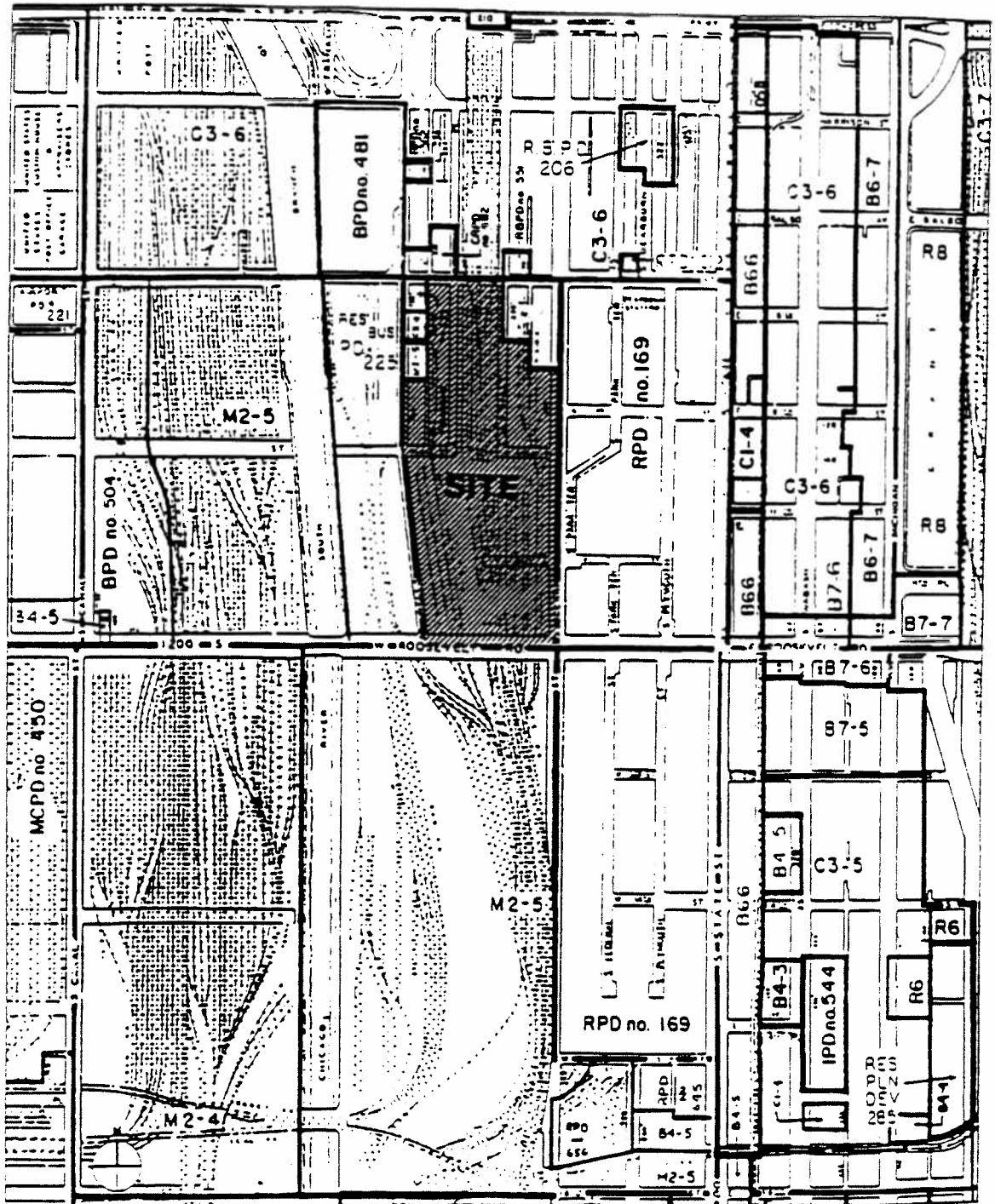
Freestanding ground signs are permitted at each primary entrance to the development. Such signs shall not exceed four (4) feet in width by eight (8) feet in height. If illuminated, such signs shall be backlit.

Temporary Signs.

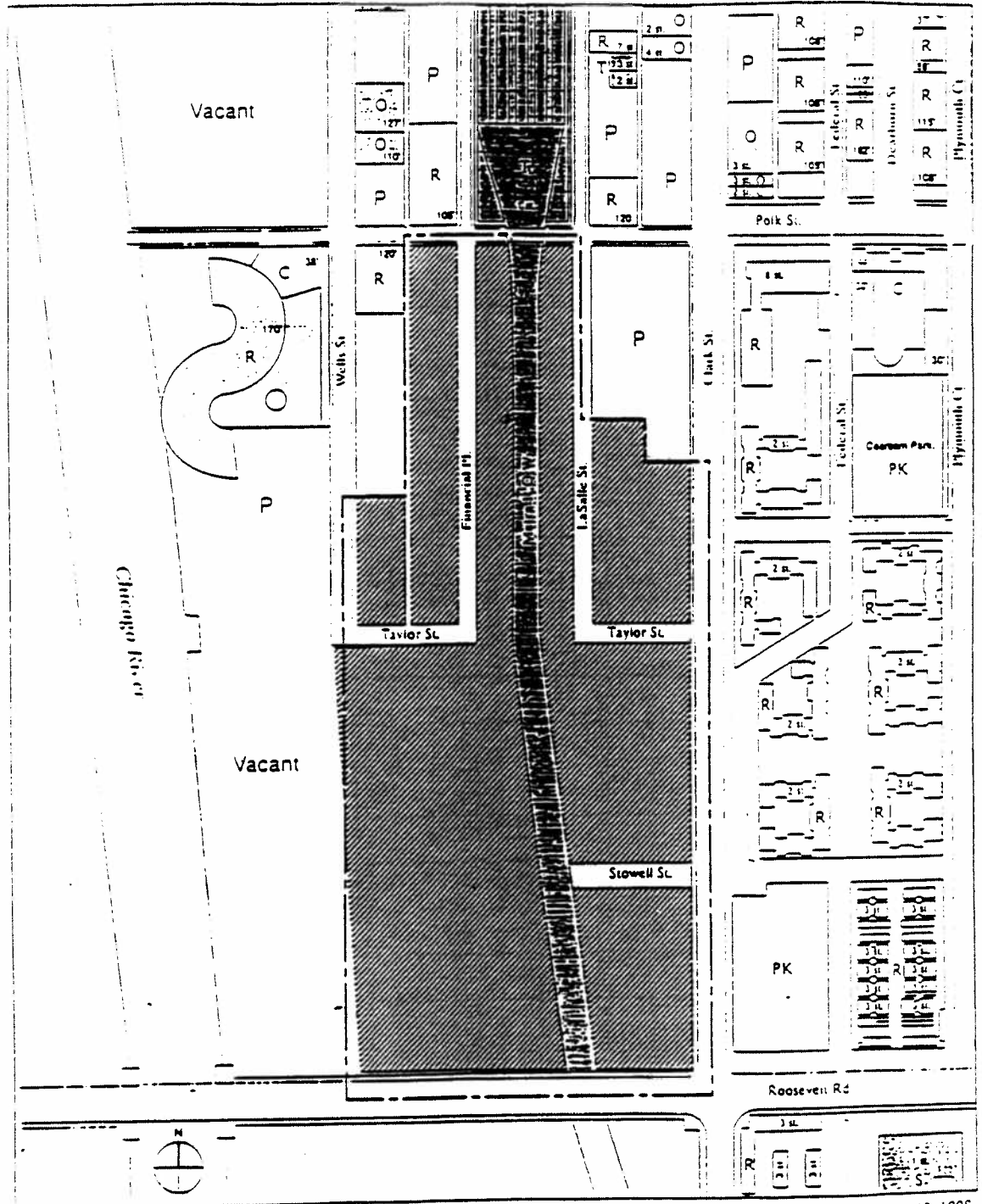
Parcels that are unimproved or under construction may have temporary marketing, construction or other site signs provided that they are designed, constructed and maintained in accordance with the following standards:

- Sign faces shall be a maximum of twelve (12) feet in height and two hundred fifty (250) square feet in area.
- Construction barricades may be used as signage.
- Signs shall be maintained in good condition.
- Sign information shall be kept current.

Existing Zoning Map.



Existing Land-Use Map.

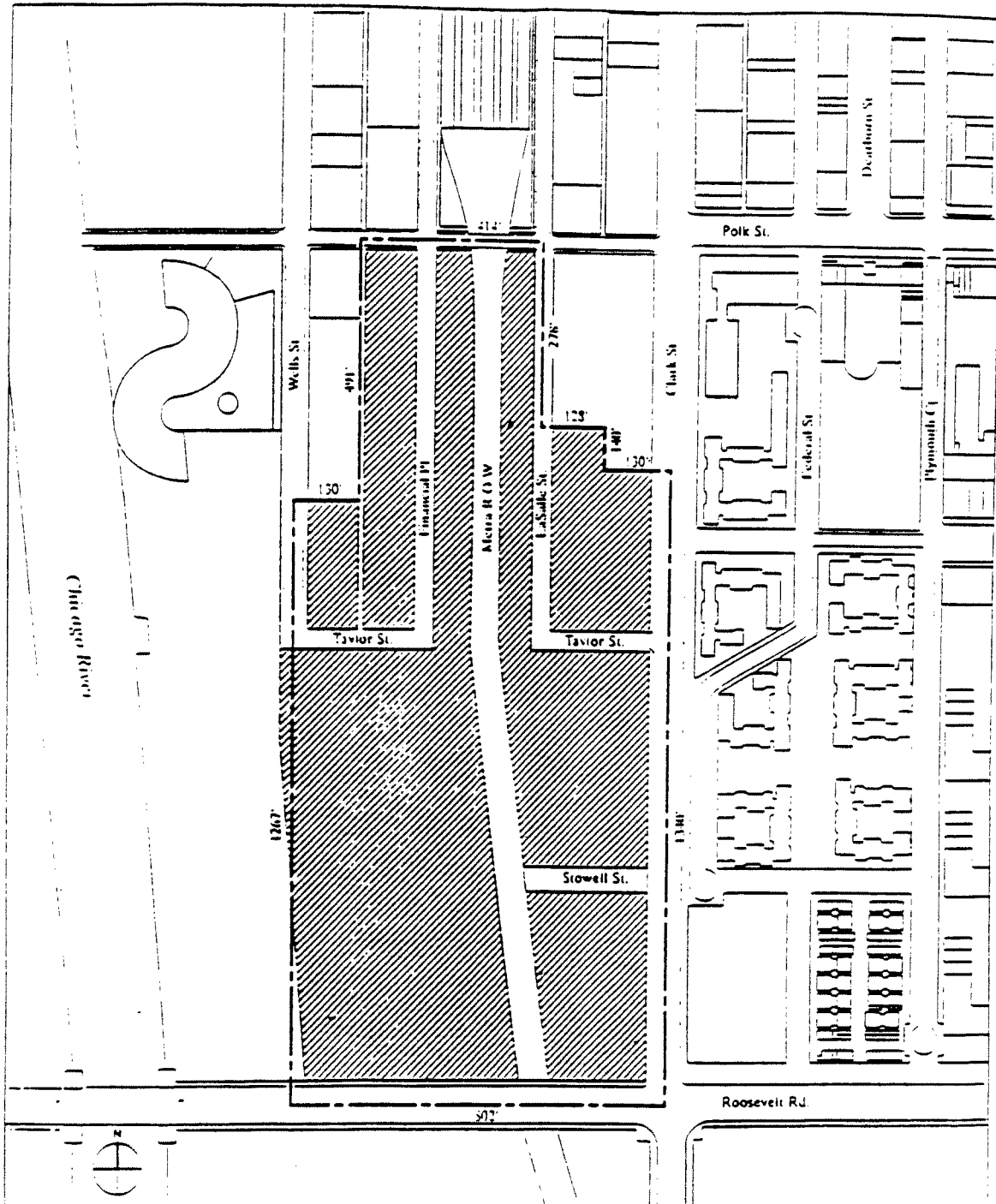


W.H. Limited Partnership No. 17 • 101 E. Erie St. • Suite 300

October 12, 1995

| | | | | | | | |
|------------------|---|-------------|----|------------|---|--------------|---|
| P.D. Boundary | --- | Park | PK | Office | O | Util./Trans. | U |
| Subject Property |  | Residential | R | Commercial | C | School | S |

Planned Development Boundary
And Property Line Map.



W H Limited Partnership No. 17 • 101 E. Erie St. • Suite 500

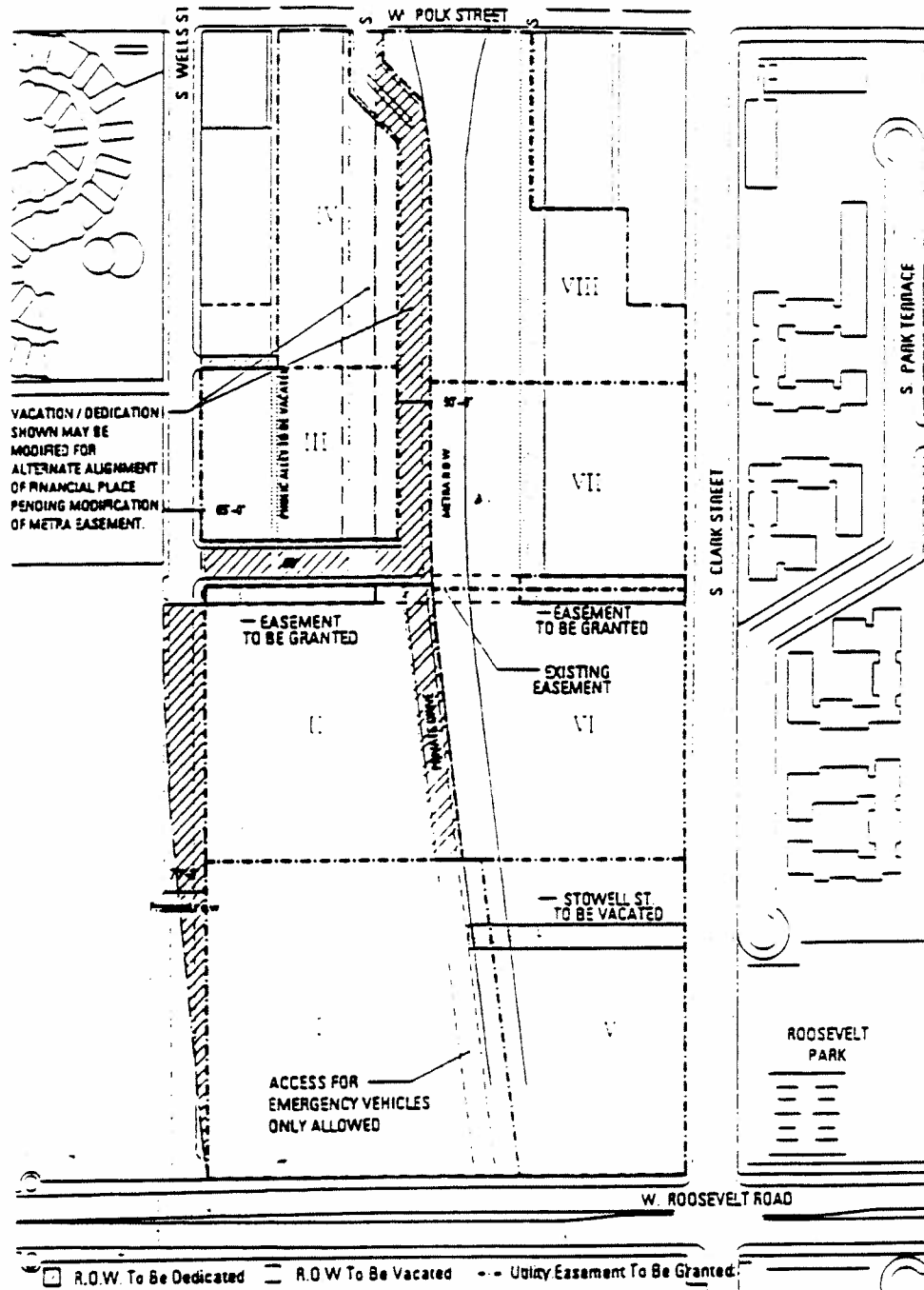
October 12, 1995

P.D. Boundary ———

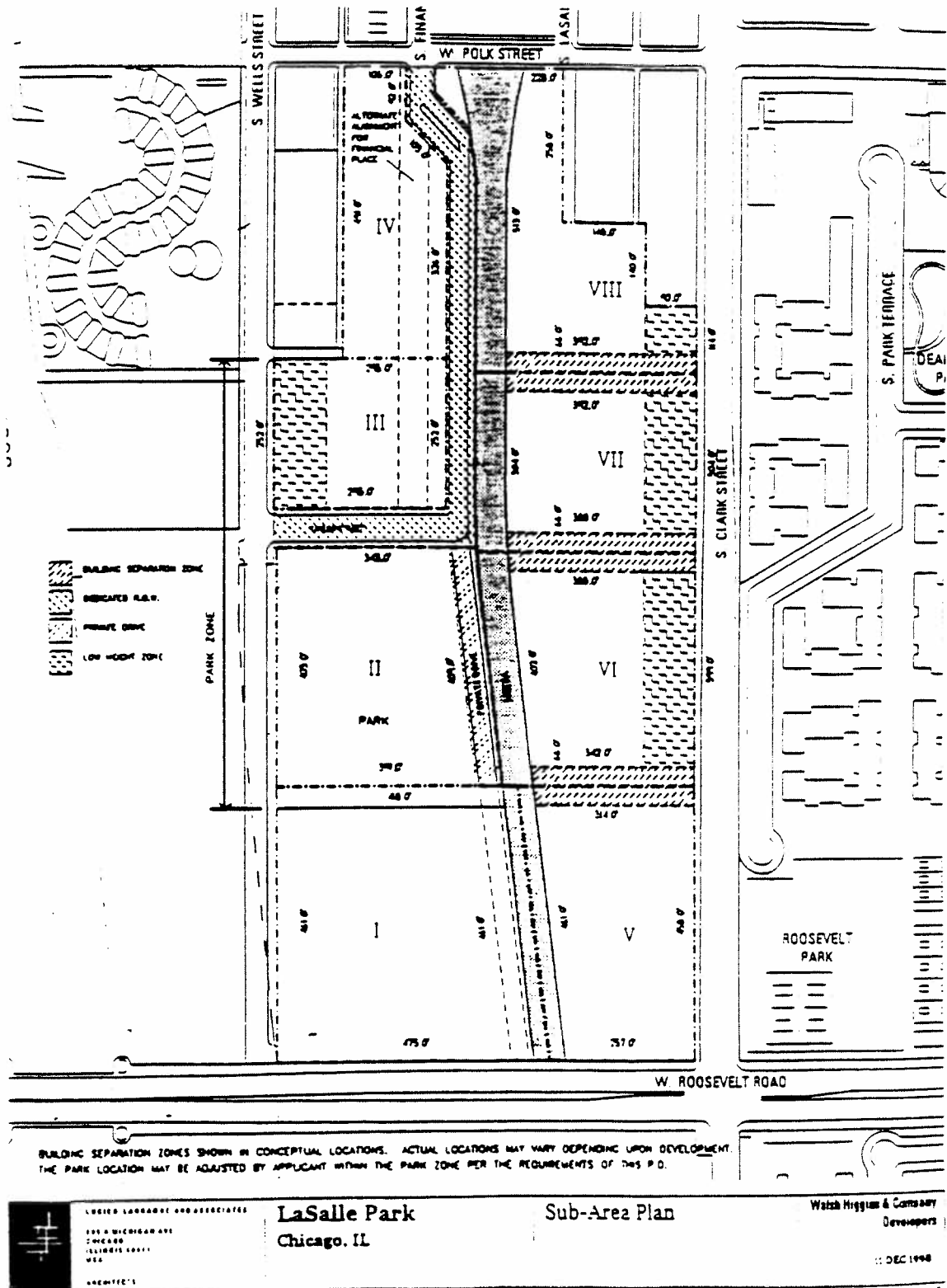
Subject Property



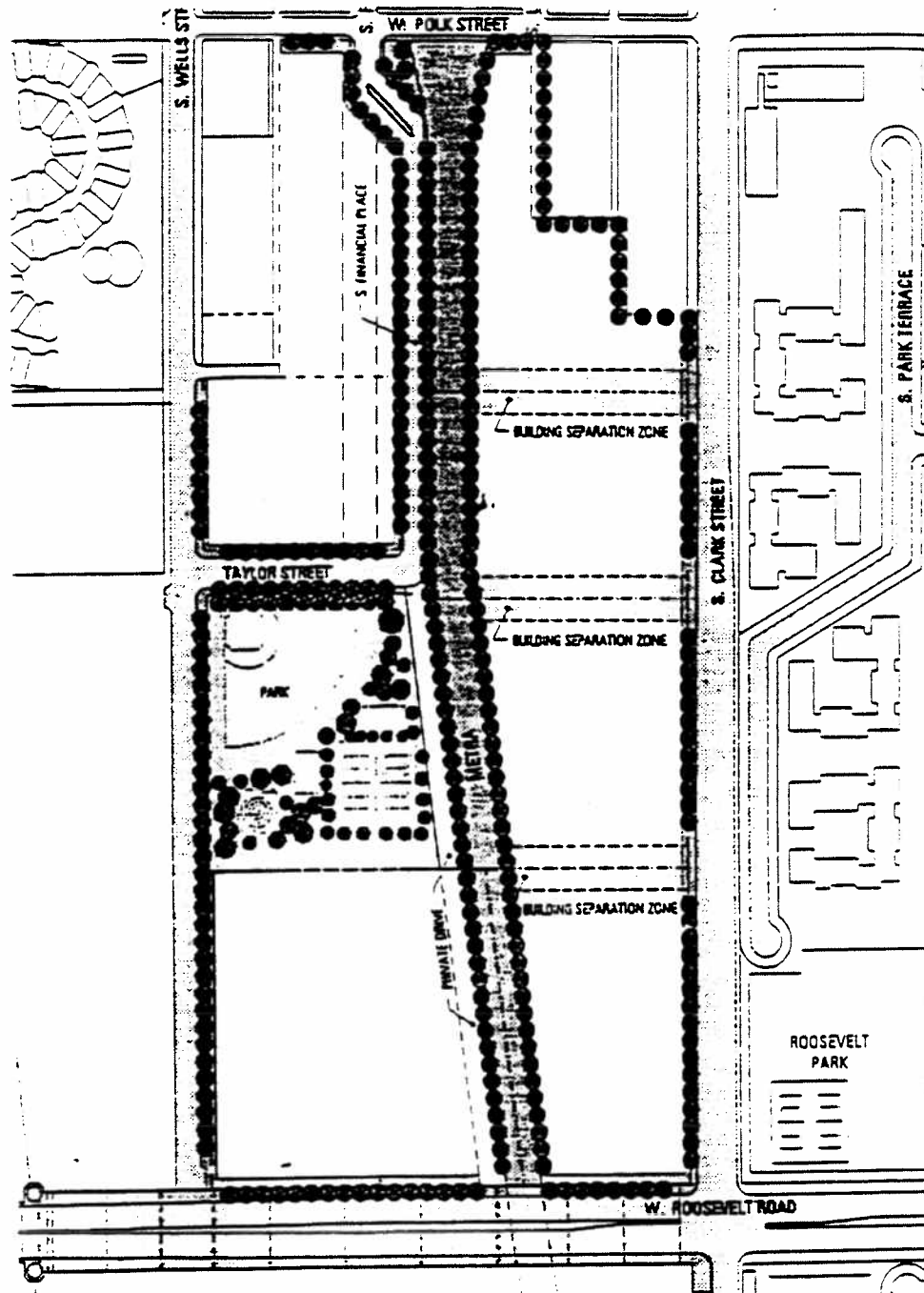
Public Right-Of-Way Adjustment Map.



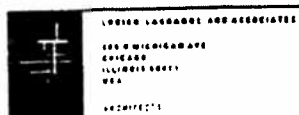
Subarea Plan.



Conceptual Landscape/Streetscape Plan.



BUILDING SEPARATION ZONES SHOWN IN CONCEPTUAL LOCATIONS. ACTUAL LOCATIONS MAY VARY DEPENDING ON DEVELOPMENT.
LANDSCAPING SHOWN IN THE BUILDING SEPARATION ZONES MAY INCLUDE PLANT MATERIAL, ROADS, WALKS, AND LANDSCAPE AREAS.



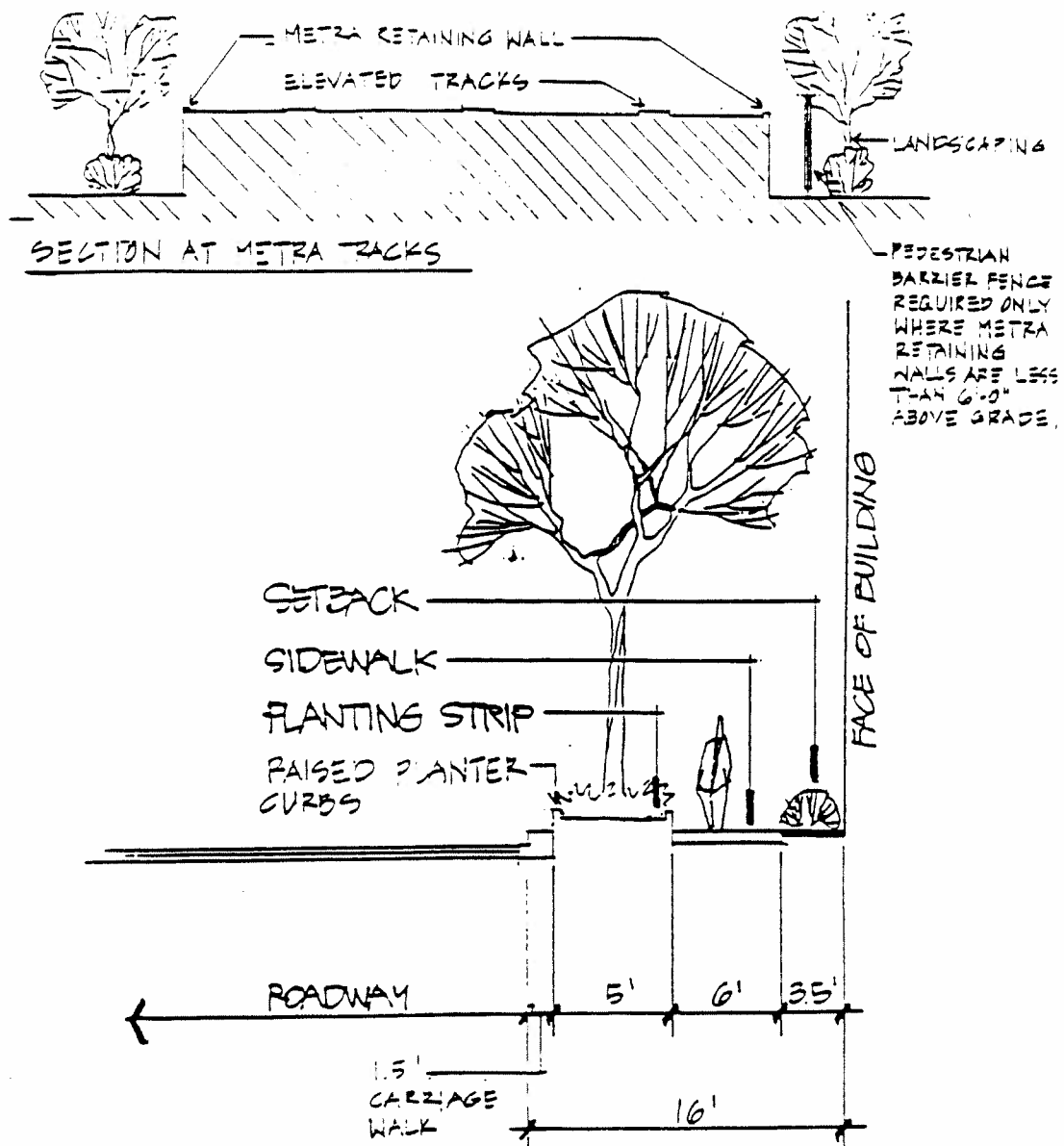
LaSalle Park
Chicago, IL

**Conceptual Landscape /
Streetscape Plan**

Welsh Higgins & Company
Developers

17 May 1998

Conceptual Streetscape Section.



NOTE: THIS CONCEPTUAL STREETScape SECTION ILLUSTRATES THE MINIMUM DIMENSIONS FOR PLANTING STRIP, SIDEWALK AND BUILDING SETBACK FOR ALL PUBLIC AND PRIVATE ROADWAYS



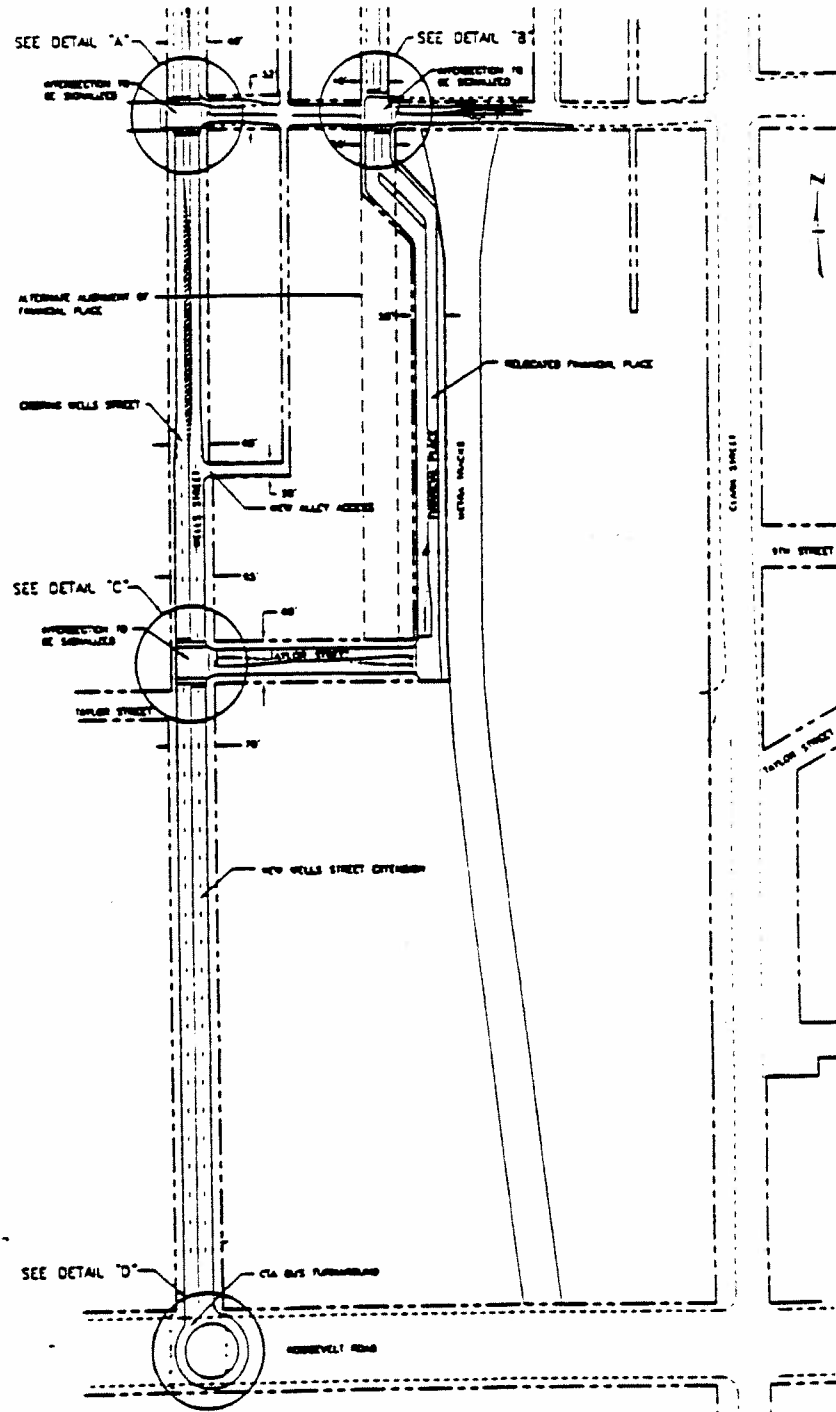
LOUIS LOMBARDO AND ASSOCIATES
ONE N MICHIGAN AVE
CHICAGO
ILLINOIS 60611
USA
ARCHITECTS


LaSalle Park
Chicago, IL

Conceptual Streetscape
Section

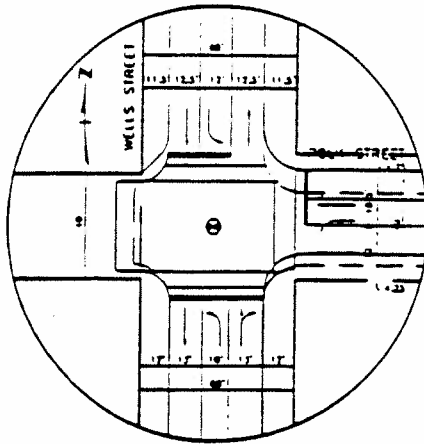
Welsh Higgins & Company
Developers
23 November 1998

Public Right-Of-Way Improvement Plan.

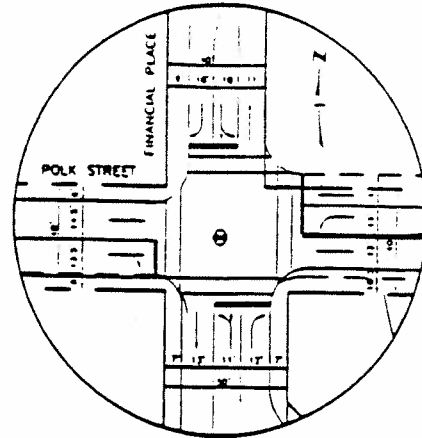


| | | | |
|--|--|---|----------------------|
|  <p>LESTER LANGFORD AND ASSOCIATES 400 N. MICHIGAN AVE. CHICAGO ILLINOIS 60611 USA ARCHITECTS</p> | <p>LASALLE PARK CHICAGO, IL</p> | <p>PUBLIC R.O.W. IMPROVEMENT PLAN</p> | <p>JULY 22, 1999</p> |
|--|--|---|----------------------|

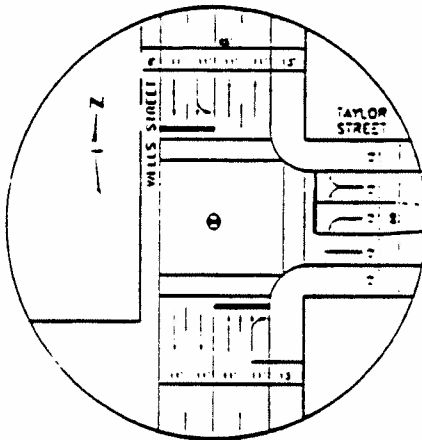
Public Intersection Improvement Plan.



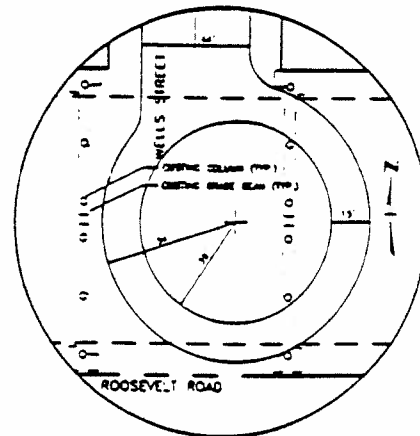
DETAIL A - POLK STREET/WELLS STREET
INTERSECTION IMPROVEMENT
SCALE: 1"=20'



DETAIL B - POLK STREET/FINANCIAL PLACE
INTERSECTION IMPROVEMENT
SCALE: 1"=20'



DETAIL C - TAYLOR STREET/WELLS STREET
INTERSECTION IMPROVEMENT
SCALE: 1"=20'

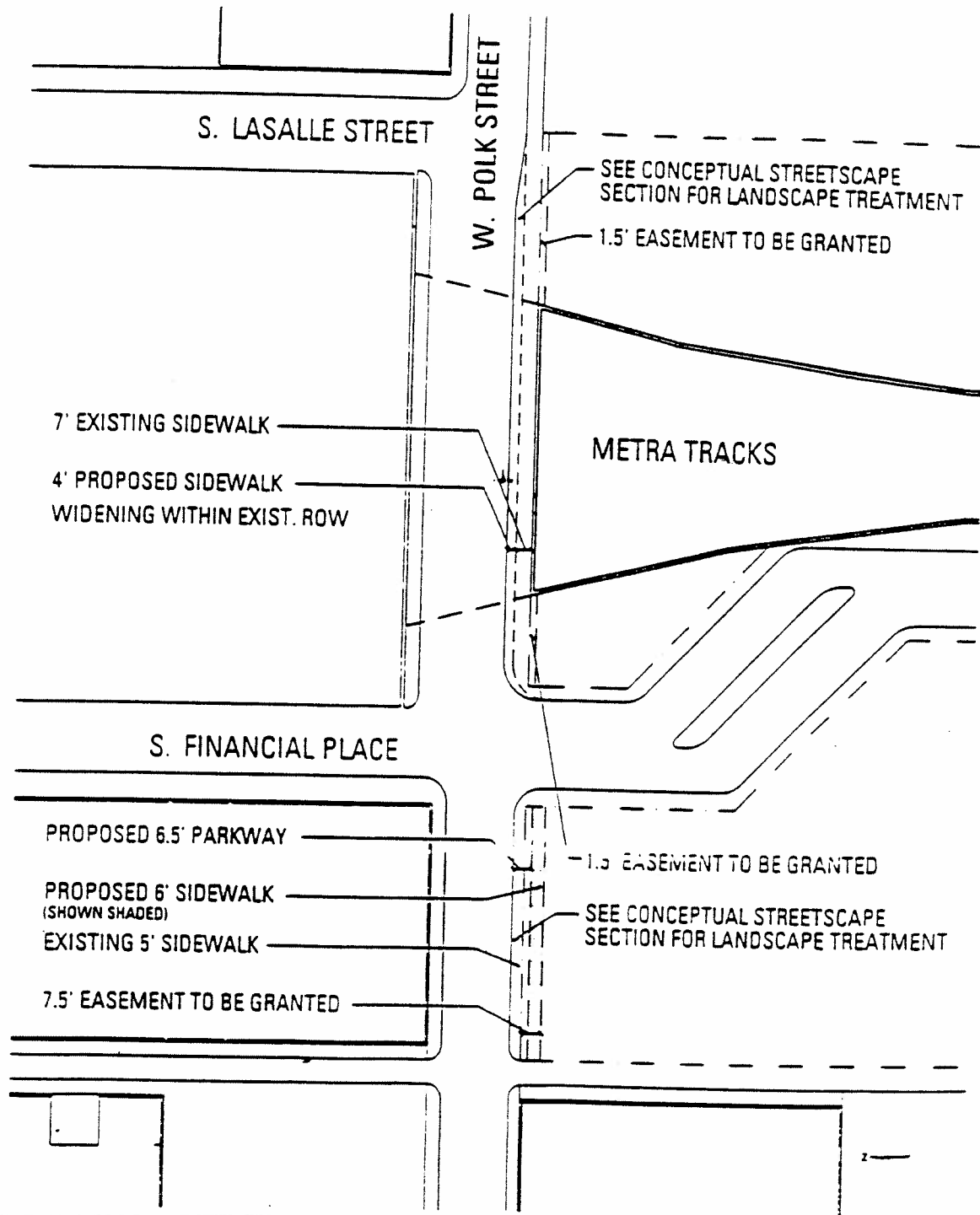


DETAIL D - CTA TURNAROUND
SCALE: 1"=20'

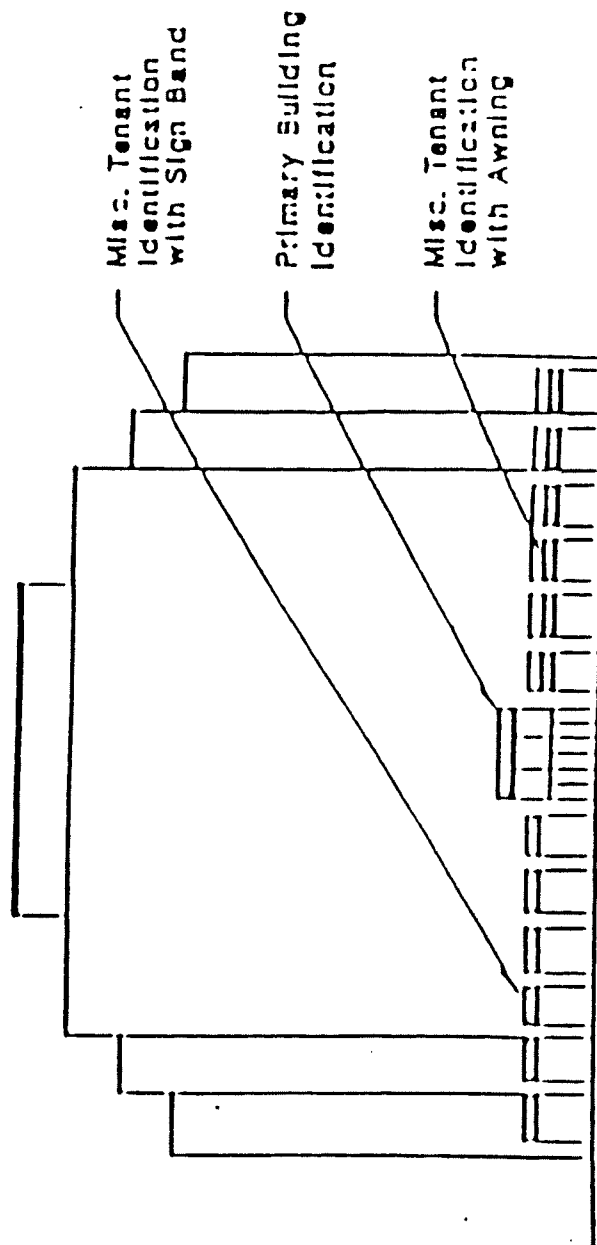
LEGEND

- TRAVEL LANE
- TURNING LANE
- ⊕ TRAFFIC SIGNAL

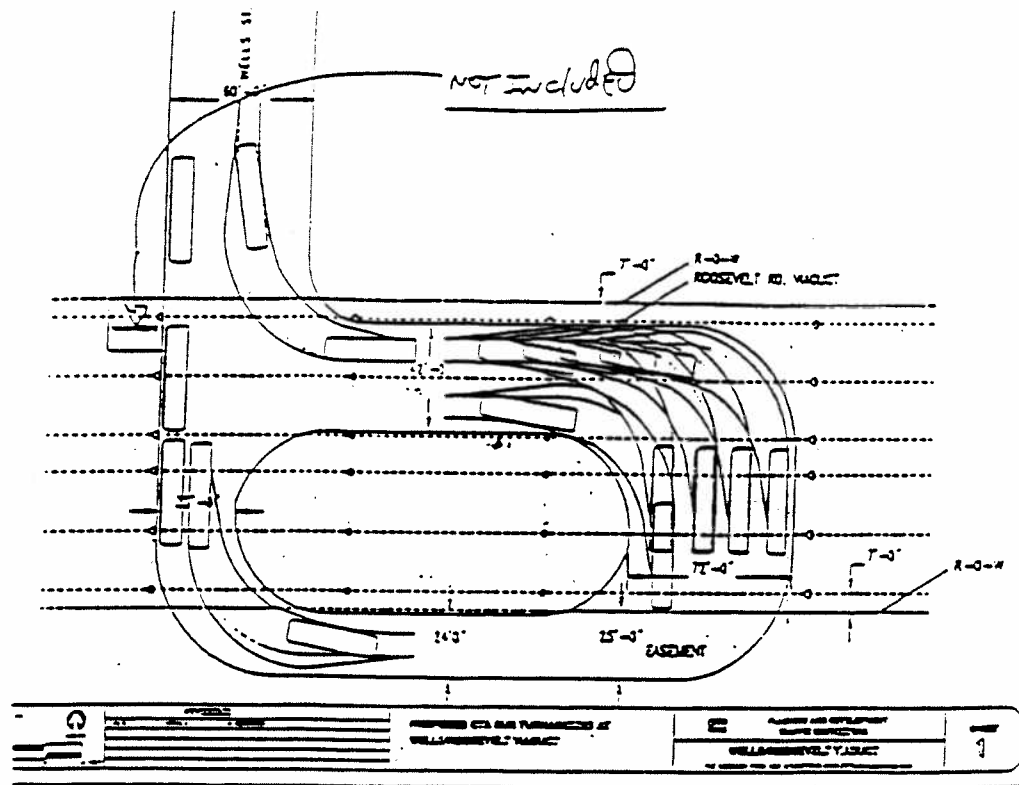
Polk Street Pedestrian Improvement Plan.



Building Signage Diagram.



Chicago Transit Authority Bus Turnaround Plan.



C.T.A. BUS TURNAROUND PLAN

Applicant: W/H Limited Partnership N° 17



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Christopher R. Hill
Commissioner

121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190
(312) 744-2271 (FAX)

<http://www.ci.chi.il.us>

November 2, 1998

Mr. Rick Wendy
Alzheimer & Gray
10 South Wacker Drive, Suite 4000
Chicago, Illinois 60606-7482

Re: Application for a minor change to
Residential-Business Planned Development No. 523
(LaSalle Park)

Dear Mr. Wendy:

We have considered your request, dated October 14, 1998, to extend a condition of the sunset expiration of Residential-Business Planned Development No. 523. As you know, on December 31, 1997 the Department previously granted an extension of the expiration date of the Planned Development to November 6, 1999, subject to the condition that by November 6, 1998, the P.D. is amended to update the roadway and open space provisions.

The Department wishes to avoid the expiration of the existing P.D. during the period the application for its amendment is pending. The Department recognizes that the Applicant has worked diligently and in good faith with the Department to secure the amendment to the P.D. since filing an application for amendment to the P.D. in March of this year. Nevertheless, since review of the application and supporting material is continuing at this time, the amendment cannot be accomplished by the required date.

Accordingly, I hereby approve as a minor change to the Planned Development a six-month extension (until May 6, 1999) of the date by which the Planned Development must be amended.

Sincerely,

Christopher R. Hill
Commissioner

Originated:

Christine K. Slattery
Deputy Commissioner

cc: David Doig
Joe Zehnder
Philip Levin
Alderman Madeline Haithcock
Tom Kaeser-CDOT





City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Christopher R. Hill
Commissioner

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4471 (Voice)
(312) 744-6550 (FAX)
(312) 744-2578 (TTY)
<http://www.ci.chi.il.us>

November 6, 1997

Mr. Theodore J. Novak
Rudnick and Wolfe
203 North LaSalle Street
Suite 1800
Chicago, IL 60601-1293

Re: Business Planned Development No. 523
(LaSalle Park)

Dear Mr. Novak:

This is to inform you of the current status of a request which you made one year ago today to extend the expiration date of Residential-Business Planned Development No. 523 for 5 years.

Since the last extension was approved, the Department has embarked on a comprehensive effort to rezone inactive planned developments. Aldermen Natarus has also introduced an ordinance which would mandate the expiration of planned developments after a reasonable time period if no construction occurs. Some form of "sunset" legislation is expected to pass the City Council by the end of this year. In order to provide you an opportunity to comment and respond to this legislation, I hereby approve an extension of RBPd No. 523 until December 31, 1997. Please be advised that no further extensions will be granted after December 31st without compelling justification.

Pursuant to the authority granted by the Chicago Zoning Ordinance, I hereby approve the foregoing extension until December 31, 1997, as a minor change, but no other changes to Residential-Business Planned Development No. 523.

NEIGHBORHOODS



Please feel free to call me directly if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "CHRISTOPHER HILL", with a large, stylized initial "C" and "H".

Christopher R. Hill
Commissioner

Originated by:

A handwritten signature in black ink, appearing to read "Christine Slattery", with a stylized initial "C" and "S".

Christine Slattery
Deputy Commissioner

cc: Philip Levin
Joe Zehnder
Paul Woznicki
Fred Deters
Tom Kaeser, CDOT



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Christopher R. Hill
Commissioner

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4471 (Voice)
(312) 744-6550 (FAX)
(312) 744-2578 (TTY)

<http://www.ci.chi.il.us>

May 1, 1997

Mr. Theodore J. Novak
Rudnick and Wolfe
203 North LaSalle Street
Suite 1800
Chicago, IL 60601-1293

Re: Request for a minor change to Residential-
Business Planned Development No. 523
(LaSalle Park)

Dear Mr. Novak:

The Department of Planning and Development has considered your request on behalf of W/H Limited Partnership No. 17 for an additional six month extension of the expiration date of Residential-Business Planned Development No. 523.

The Department of Planning and Development previously granted two separate three month extensions of the deadline dates of the detailed sunset provisions included in Statements 9, 10, and 12 of the Planned Development. The additional six month extension period will provide the Department with time to complete the analysis described in our earlier time extension approvals together with updated traffic analysis of the area. During this extension period, the Department intends to work with the Chicago Department of Transportation to re-evaluate the proposed vacation of Financial Place and to generally update old traffic studies in light of new and proposed development in the area. Open space and public facility needs in the area are also under evaluation.

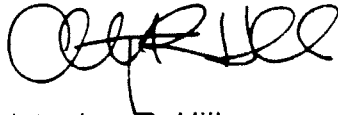


Please
Recycle!



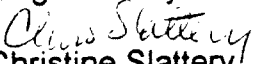
Pursuant to the authority granted by the Chicago Zoning Ordinance, I hereby approve the foregoing six month extension until November 6, 1997, as a minor change, but no other changes to Residential-Business Planned Development No. 523.

Very truly yours,

A handwritten signature in black ink, appearing to read "CHRILL", with a large circular flourish on the left side.

Christopher R. Hill
Acting Commissioner

Originated by:


Christine Slattery
Deputy Commissioner

cc: Philip Levin
Joe Zehnder
Paul Woznicki
Fred Deters
Carl Byrd, CDOT



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

J. F. Boyle, Jr.
Commissioner

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4471 (Voice)
(312) 744-6550 (FAX)
(312) 744-2578 (TTY)

February 3, 1997

Mr. Theodore J. Novak
Rudnick and Wolfe
203 North LaSalle Street
Suite 1800
Chicago, IL 60601-1293

Re: Request for a minor change to Residential-
Business Planned Development No. 523
(LaSalle Park)

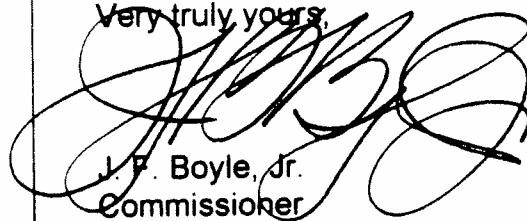
Dear Mr. Novak:

The Department of Planning and Development has considered your request on behalf of W/H Limited Partnership No. 17 for an additional three month extension of the expiration date of Residential-Business Planned Development No. 523.

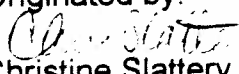
Specifically, on November 6, 1996, the Department of Planning and Development granted a three month extension of the deadline dates of the detailed sunset provisions included in Statements 9, 10, and 12 of the Planned Development. The additional three month extension period will provide the Department with time to complete the analysis described in our earlier time extension approval.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance, I hereby approve the foregoing three month extension until May 6, 1997, as a minor change, but no other changes to Residential-Business Planned Development No. 523.

Very truly yours,



J. F. Boyle, Jr.
Commissioner

Originated by:

Christine Slattery
Deputy Commissioner

cc: Philip Levin
Joe Zehnder
Paul Woznicki



to those of a C1-3 Restricted Commercial District and a corresponding use district is hereby established in the area above described.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

pd 523

*Reclassification Of Area Shown On Map Number 2-F.
(As Amended)*

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the M2-5 General Manufacturing District symbols and indications as shown on Map No. 2-F in the area bounded by:

West Polk Street; South LaSalle Street; a line 258.501 feet south of and approximately parallel to West Polk Street; a line 125.683 feet east of and approximately parallel to South LaSalle Street; a line 398.046 feet north of and approximately parallel to West Taylor Street; South Clark Street; West Roosevelt Road; a line 733.363 feet west of and approximately parallel to South Clark Street; South Wells Street; a line 323.561 feet north of and approximately parallel to West Taylor Street; and the alley next east of South Wells Street,

to those of a C3-5 Commercial-Manufacturing District and a corresponding use district is hereby established in the area above described.

SECTION 2. The Chicago Zoning Ordinance be amended by changing all the C3-5 Commercial-Manufacturing District symbols and indications established by Section 1 of the ordinance in the area bounded by:

West Polk Street; South LaSalle Street; a line 258.501 feet south of and approximately parallel to West Polk Street; a line 125.683 feet east of and approximately parallel to South LaSalle Street; a line 398.046 feet north of and approximately parallel to West Taylor Street; South Clark Street; West Roosevelt Road; a line 733.363 feet west of and approximately parallel to South Clark Street; South Wells Street; a line 323.561 feet north of and approximately parallel to West Taylor Street; and the alley next east of South Wells Street,

11/6/91

UNFINISHED BUSINESS

7377

to those of a Residential-Business Planned Development which is hereby established in the area above described subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and due publication.

Plan of Development attached to this ordinance reads as follows:

Residential-Business Planned Development. #523

Plan Of Development

Statements.

1. Legal title to that certain real property (the "Property") which is delineated herein as Residential-Business Planned Development and is subject to the use and bulk restrictions of this Residential-Business Planned Development is held by American National Bank and Trust Company, as Trustee under Trust No. 107796-01, dated March 1, 1989 and Devon Bank, as Trustee under Trust No. 4764. W/H Limited Partnership No. 17, the Applicant, is the sole beneficiary of said American National Bank Trust. All required disclosures are contained within the Economic Disclosure Statement filed with the City of Chicago in accordance with applicable requirements.
2. The Applicant acknowledges that the Applicant, its affiliates, successors, assigns, grantees or lessees shall obtain all official reviews, approvals and permits which may be necessary to implement the development of the Property. Public rights-of-way as depicted on the Right-of-Way Adjustment Map shall be retained and/or vacated and/or dedicated in accordance with the provisions of this Planned Development as necessary to accommodate the public improvements and private development contemplated by this Planned Development. Any dedication or vacation of streets or alleys or easements or any adjustment of rights-of-way which may be necessary to implement development of the Property, if otherwise required, shall require a separate submittal on behalf of the

Applicant, its affiliates, successors, assigns, grantees or lessees, and if otherwise required, approval by the City Council. Any areas to be dedicated shall be excluded and any areas to be vacated shall be included in determining the net site area of this Planned Development.

3. The area within the Planned Development boundaries is divided into three subareas as indicated on the Generalized Land Use and Open Space Plan and into ten (10) Blocks as depicted on the Conceptual Blocks, Pedestrian Ways and View Corridors Plan. Subarea A shall be developed primarily with residential uses. The floor area of non-residential uses allowable on any Block in Subarea A shall not exceed fifty percent (50%) of the total site area of such Block. Such development shall be located within or adjacent to a residential building or complex. Non-residential uses allowable in Subarea A shall include any use permitted in Subarea B. Notwithstanding the foregoing, all or part of Blocks 2 and 5 in Subarea A, at the election of the Applicant, may be developed as if they were located in Subarea B so long as a development parcel or parcels located in Subarea B, equal in site area to the portion of Block 2 or 5 so developed (the "Alternate Parcels") are designated by the Applicant for development as would otherwise be permitted by the regulations applicable to Subarea A at the time of such development of Block 2 or 5; provided, however, that the Applicant may from time to time change the location of the Alternate Parcels so designated. The following uses shall be permitted in Subarea B: business and professional offices, hotels and motels, retail and commercial uses as permitted in the B4-5 zoning district (except auto service stations), residential uses, including housing for elderly persons, indoor and outdoor athletic and recreational facilities, non-accessory off-street parking, restaurants and taverns, including live entertainment and dancing, earth station antennae (regardless of size), theaters, day care centers and accessory uses. Except as specifically provided herein, only railroad and related ancillary uses and the LaSalle Park pedestrian connection are permitted in Subarea C.
4. This Planned Development consists of these fourteen (14) Planned Development Statements; an Existing Zoning and Street Map; a Rights-of-Way Adjustment Map; a Generalized Land Use and Open Space Plan; a Proposed Utilities Plan; a Conceptual Blocks, Pedestrian Ways and View Corridors Plan; a Landscape Concept Plan; an Existing Neighborhood Land Use Area Map; a Streetscape and Open Space Concept Plan; a Roadway Improvement Plan; a Signage Standards Exhibit (consisting of three pages); and a Table of Use and Bulk Regulations and Data. The Planned Development is applicable to the area delineated herein and these and no other controls shall apply. The Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, and all requirements thereof, and

satisfies the established criteria for approval as a planned development.

5. Any service drive or any other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Public Works and in compliance with the Municipal Code of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago. Vehicular ingress and egress shall be subject to the review and approval of the Bureau of Traffic Engineering and Operations and of the Commissioner of Planning (the "Commissioner").
6. The height of each building located upon the Property and any appurtenances attached thereto, in addition to the Bulk Regulations Table, shall be subject to:
 - (a) Height limitations as certified on Form FAA-177 (or on successor forms involving the same subject matter) and approved by the Federal Aviation Administration pursuant to Part 77 of the Regulations of the Administrator, Federal Aviation Administration; and
 - (b) Airport zoning regulations as established by the Department of Development and Planning, Department of Aviation and Department of Law and approved by the City Council.
7. Business and business identification signs and temporary signs, such as construction and marketing signs, may be permitted upon the Property subject to the review and approval of the Commissioner. Advertising signs shall not be permitted. Business signs consistent with the Signage Standards Exhibit are expressly permitted. No business signs shall be permitted within or facing LaSalle Park.
8. For purposes of maximum Floor Area Ratio calculations, the definition contained in the current Chicago Zoning Ordinance shall apply; provided, however, that (i) floor area within an office building devoted to mechanical equipment which exceeds 5,000 square feet in any single location shall not be included and (ii) floor area devoted to non-accessory off-street parking shall not be included.
9. The improvements on the Property shall be designed, constructed and maintained in general conformance with the plans and exhibits set forth in Statement No. 4.

In addition, the development of the Property shall be subject to the following:

- (a) **Circulation.** Buildings and uses on the Property shall be provided with vehicular and pedestrian access to a public roadway. Parking space layout, private roadway vehicular circulation, loading access, private pedestrian circulation routes, parking structure operational design, and the location and design of curb-cuts at public streets shall be designed and constructed in accordance with the applicable provisions of this Planned Development and shall promote a safe, efficient, appropriate and beneficial design. The Applicant shall not preclude the opportunity, where feasible and appropriate, to provide a private north-south pedestrian connection through Subarea A.
- (b) **Private Roadways.** A private roadway shall mean any private drive or way located on private property which is designed and intended for use as vehicular access to uses located therein. Private roadways shall be designed and paved in compliance with the Municipal Code of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. Fire lanes, if required within the private roadways, shall be designed and paved to provide access and egress for emergency vehicles. No parking shall be permitted within such fire lanes. All private roadways shall be designed to accommodate appropriate pedestrian use thereof. Lighting (at an intensity sufficient to permit safe passage), landscaping and sidewalks (on at least one side of the roadway) shall be provided. All private roadways shall be reasonably accessible to private pedestrian use but need not be made available to the general public. Private roadways shall be designed and configured to provide direct and coherent pathways to public streets and shall be designed to maximize access to any parks, transit facilities and pedestrian corridors which may be adjacent or proximate to the Property.
- (c) **Parking.** Off-street parking shall be provided upon the property in accordance with the provisions of this Statement and the Bulk Regulations Table attached hereto and made a part of this Plan of Development and shall also be subject to the standards set forth below:
 - (i) Interim outdoor, at-grade, off-street parking may be maintained for a period not to exceed five (5) years; provided, however, that the Commissioner may

authorize the continuation of such interim parking for additional periods where deemed appropriate. Such parking shall be located, landscaped and maintained in a manner consistent with the vehicular use area landscaping and screening provisions of the Chicago Zoning Ordinance and associated regulations.

- (ii) Permanent at-grade, off-street parking which is otherwise visible from a public right-of-way is permitted subject to the following limitations. Such parking shall be set back at least 20 feet from any adjacent public right-of-way. Such setback shall be bermed to a height of at least two (2) feet above the grade of the adjacent sidewalk and shall be landscaped with one 2½ inch caliper tree for every 25 feet of frontage along the public way, shrubs and ground cover to provide a continuous screen of at least two and one-half (2½) feet in height total, including the berm, so as to substantially screen the parking lot from view from the adjacent right-of-way. In addition to appropriate landscaping, a decorative fence a minimum of four (4) feet high shall be constructed along the top of the berm to further enhance the screening of the adjacent parking. In lieu of the screening described above, the Commissioner may approve an alternative treatment including, but not limited to, vine-covered fences or trellises, structural walls or screens upon a finding that such alternative treatment would:
 - (A) provide an effective visual screen of the parking areas and parked automobiles;
 - (B) promote the physical definition of a continuous street wall;
 - (C) provide a visual effect which promotes and enhances the vehicular and pedestrian experience through the use of quality architectural and urban design; and
 - (D) be appropriately designed and maintained to satisfy applicable building and/or landscape industry standards.

- (iii) Off-street parking required to serve residential uses developed on the Property shall be located on the same side of the Metra tracks and within 600 feet walking distance of the residential use served. Parking required to serve non-residential uses shall be located within 1,500 feet walking distance of the non-residential use served. Parking spaces provided on streets within this Planned Development shall be counted towards satisfaction of the off-street parking requirement applicable to the development of the Property; provided that such on-street parking is directly adjacent to the development served. No parking shall be permitted within any open areas depicted on the Generalized Land Use and Open Space Plan (except the 9th and 11th Street areas). No free-standing parking structure and no permanent, non-accessory parking areas exceeding fifty (50) spaces shall be permitted within Subarea A or within those Blocks of Subarea B not adjacent to either Polk Street or Roosevelt Road.
- (iv) The exterior walls of any parking structure (including walls enclosing the parking areas of any other structure) facing or visible from a public right-of-way shall be treated with texture, fenestration, detail or other architectural devices to assure that such exterior walls, and the materials used in those walls, are compatible with the architectural treatment of the remainder of the structure of which it is a part and that of adjacent structures. Parking areas, floors, interior lighting and parked vehicles located within such structures shall be substantially screened from view from adjacent public ways. Where the facade of any building which includes parking on the ground level is located within thirty (30) feet of Wells Street, Roosevelt Road or Clark Street north of 11th Street and exceeds one hundred and fifty (150) feet in length along such right-of-way, such building shall include, at ground level, clear or lightly tinted glass opening onto retail or office uses, lobby space or other similar active uses. The area devoted to such treatment shall occupy at least twenty percent (20%) of the lineal feet of the facade.
- (v) Each building developed on the Property shall be served by short term parking spaces located within 150 feet walking distance of the primary entrance to such building as follows: office buildings, four spaces for each building; retail/commercial use, one space for

each 2,000 square feet of floor area to a maximum of four spaces; residential buildings of four stories or less, one space for each ten dwelling units to a maximum of four spaces; and residential buildings in excess of four stories, four spaces for each building. Such temporary parking spaces shall be available to users at no or nominal charge. In addition to such temporary parking spaces all multi-family residential buildings shall provide for passenger pick-up and drop-off in areas convenient to the main entrance of such developments.

- (d) Loading. Off-street loading shall be provided upon the Property in accordance with this Statement and with the Bulk Regulations Table attached hereto and made a part of this Plan of Development. All loading required by this Planned Development shall be located proximate to the building or use served. No loading areas shall be located facing or accessed directly from Wells Street or Clark Street. All loading areas shall be screened from view from public streets.
- (e) Curb-cuts. Private roadways, driveways, entrances to off-street parking and to loading docks, and all other facilities requiring curb-cuts shall be located to minimize conflicts with on-street traffic and with pedestrian circulation. No curb-cut shall be located along the boundaries of LaSalle Park or within one hundred (100) feet of any other such curb-cut. All such curb-cuts shall be constructed in accordance with the standards of the City of Chicago.
- (f) Landscaping. Landscaping shall be installed and maintained in accordance with the Landscape Concept Plan. Parkway trees shall be installed and maintained in the public right-of-way adjacent to any development of the Property in accordance with the parkway tree planting provisions of the Chicago Zoning Ordinance and associated regulations. Open areas of the Property not otherwise devoted to permitted buildings, parking areas or pedestrian/vehicular circulation areas and all other development of the Property, to the extent feasible, shall be landscaped to enhance the appearance of the development from the public street, to screen unattractive uses from the street and to provide buffers between adjacent uses. In connection with residential uses, adequate and appropriately designed open space shall be provided in the form of gardens, landscaped areas, tot-lots, playgrounds, roof decks or other above-grade open space facilities. Landscaping shall consist

of grass, ground cover, shrubs, trees or other living plant materials. All landscaping shall be properly maintained by the owner thereof at all times.

- (g) **Building Design and Exterior.** (i) The exterior walls of any structure, including walls and fences, facing or visible from the public way shall be designed and constructed to avoid a monotonous and blank appearance through the use of texture and detail, windows, openings, projections, recesses, offsets, variations to the parapet wall, variations in type or color of materials or other architectural devices. (ii) Where any facade located within thirty (30) feet of a public right-of-way exceeds two hundred and fifty (250) feet in length along the right-of-way, such facade shall be interrupted by a setback from the public way of at least thirty (30) feet in length and thirty (30) feet in depth for the full height of the building. (iii) Each building shall have a primary entrance oriented to, accessible from and visible from a public right-of-way or private roadway designed in accordance with the criteria set forth in (b) of this Statement. (iv) All buildings constructed along Roosevelt Road shall include entrances from Roosevelt Road and otherwise be designed to promote an active pedestrian street level. Any such building with frontage along both Roosevelt Road and Wells Street shall, in addition to the entrance from Roosevelt Road, provide an entrance at grade level from Wells Street. Vertical transition from the Roosevelt Road entrance to the Wells Street entrance shall be included within any such development. (v) Fences lying between a public right-of-way and any development shall be designed so that at least twenty-five percent (25%) of each 100-foot length of such fence shall be substantially open in appearance and shall include a vertical break, substantially open in appearance, at least six (6) inches in width and extending from no more than one (1) foot above grade to no more than one (1) foot from the top of such fence. For purposes of this restriction, any section of fence that is at least ninety percent (90%) transparent shall be deemed to be substantially open. Such fencing shall not exceed seven (7) feet in height. (vi) Development of the Property shall, where appropriate and to the extent feasible, create and promote the physical definition of a continuous street wall through the location of buildings, fences, walls, landscaping, other architectural devices or any combination thereof.
- (h) **Open Space.** The building separation zones depicted on the Generalized Land Use and Open Space Plan shall be improved in connection with adjacent development to provide appropriate pedestrian access to adjacent streets and private drives. Such building separation zones shall be open in

appearance and shall include no buildings, fences or similar obstructions. At least twenty percent (20%) of the net site area of the Property (approximately 5.1 acres) and 10% of every Block shall be devoted to landscaped open space, including parks, berms, outdoor recreational facilities and landscaped open space or open plazas, including raised plazas (which plazas shall be substantially landscaped as appropriate) surrounding buildings developed on the Property. Recreational facilities intended to accommodate the needs of the Property's residential population, such as tot-lots and play areas, shall be included.

- (i) In order to minimize the impact of non-residential uses on adjacent residential uses, all development on the Property shall be subject to all applicable city, state and federal regulations and laws governing noise, glare, emissions and similar matters.

The requirements contained in this Statement No. 9 may be modified administratively by the Commissioner upon the request of the Applicant and after a determination by the Commissioner that such modification is appropriate and consistent with the nature of the improvements contemplated by this Planned Development. Such a modification shall be deemed to be a minor change in the Planned Development as contemplated by §11.11-3(c) of the Chicago Zoning Ordinance.

- 10. (a) Prior to the issuance of an occupancy certificate with respect to any building or use of the Property, public improvements necessary to serve or accommodate said building or use shall be in place and available for public use. Public improvements shall be designed, constructed and installed in accordance with applicable City standards, laws and regulations subject to the approval of the appropriate City departments and agencies, as required, as well as in conformance with applicable state and federal standards, regulations and laws. These public improvements and the property upon, over or within which they are located shall be properly dedicated and/or conveyed to the City (or other public agency designated by the City) as appropriate; provided, however, that in the case of any sewer or water utilities necessary to serve the Property which are not to be located within a roadway right-of-way, appropriate easements shall be granted to the City in form acceptable to the Department of Law. Public improvements necessary to serve uses or buildings on the Property include (i) public roadway improvements necessary to provide access to and from the Property as depicted on the Roadway Improvement Plan and including pavements, required turn lanes, curbs and gutters, traffic signals and sidewalks; (ii) public utilities providing necessary utility

service to the Property including potable water, sewer facilities, electric, gas, telephone and other private utility facilities and services; (iii) streetscape improvements (including sidewalks, streetlights and street trees) within all public ways adjacent to the Property as depicted on the Streetscape and Open Space Concept Plan; and (iv) "LaSalle Park", an approximately 2.3 acre open space which shall be improved in accordance with the Streetscape and Open Space Concept Park Plan and the Landscape Concept Plan and shall be devoted at all times to public use for open space as provided herein, pedestrian passage and recreational use. In addition, vacant portions of the Property shall be cleared and hydroseeded, as shown on the Landscape Concept Plan, within five (5) years following the date of adoption of this Planned Development.

(b) Without limiting the foregoing, the following specific public improvements shall be completed within the specified time periods:

- (i) Wells Street and Polk Street shall be widened and resurfaced or, as the case may be, newly constructed (including all utilities located therein) as depicted on the Roadway Improvements Plan prior to issuance of a certificate of occupancy for any development within any adjacent Block;
- (ii) Streetscape improvements within all public ways adjacent to any Block shall be constructed as depicted on the Streetscape and Open Space Concept Plan within six (6) months of issuance of a certificate of occupancy for any development within any such adjacent Block;
- (iii) Where visible from adjacent public rights-of-way, berms adjacent to the Metra walls shall be landscaped in a manner consistent with the Streetscape and Landscape Concept Plan within six (6) months of issuance of a certificate of occupancy within the associated Block;
- (iv) The new east-west alley from Wells Street to the existing north-south alley east of Wells Street, as depicted on the Right-of-Way Adjustment Map, shall be constructed prior to issuance of a certificate of occupancy for any development within the adjacent Block;
- (v) LaSalle Park shall be completed in two (2) phases. The Phase I LaSalle Park improvements shall include grading, planting of grass and trees, the paving of pathways, and the installation of lighting and a permanent decorative fence with gates along Wells Street and Clark Street, all as depicted on the Streetscape and Open Space Concept Plan. The Phase II improvements shall include all other

improvements depicted on the Streetscape and Open Space Concept Plan, including a pedestrian connection from the east portion of the Park to the west portion of the Park across the Metra tracks. Such connection may be either a stair over or a tunnel under the Metra tracks, shall be designed to make the most convenient, pedestrian-accessible connection feasible shall comply with all applicable regulations concerning handicap accessibility and shall provide a visual connection from the east portion of the Park to the west portion of the Park.

That portion of Phase I improvements east of the Metra tracks shall be completed prior to issuance of a certificate of occupancy for any development within either adjacent Block which exceeds 50% of said Block's frontage along the Park. That portion of the Phase I improvements west of the Metra tracks shall be completed prior to issuance of a certificate of occupancy for any development within either adjacent Block which exceeds 50% of said Block's frontage along the Park. Phase II improvements shall be completed not later than the completion of development along 50% of the frontage of the Park within the Property. Upon completion of the Phase I improvements, LaSalle Park shall remain open to the public during such hours as are deemed appropriate by Applicant, but at least from sunrise to sunset. Upon completion of the Phase II improvements, LaSalle Park shall remain open to the public at least during those hours that similar parks owned and operated by the Chicago Park District remain open.

The City acknowledges that it is in the public interest to promote a pedestrian connection between the Chicago River and Grant Park. The route of the connection should be generally located along the 9th Street right-of-way east of Clark Street and the Taylor Street right-of-way west of Clark Street. This pedestrianway should be designed and maintained to encourage pedestrian use and access at all times. Barriers or impediments to such use or access should be discouraged. The Applicant and the City acknowledge that LaSalle Park and the 9th Street right-of-way through Dearborn Park are integral and necessary parts of such pedestrian connection. The Applicant shall not be obligated to construct the pedestrianway connecting the east and west portions of LaSalle Park or provide the Corner Cut Area along Clark Street as designated on the Streetscape and Open Space Concept Plan until such time as the Commissioner has stated in writing to the Applicant, prior to the time by which the Phase II improvements are required to be completed, that the City acting through the Department of

Planning, has made its best and reasonable effort, solely within its authority and jurisdiction, to provide that any existing unreasonable barriers to through public passage along the 9th Street and Taylor Street rights-of-way from Grant Park to the Chicago River are either removed or will be the subject of action taken with the intention of undertaking their removal.

The Applicant shall be responsible for the maintenance and security of the Park at all times. Upon the request of the City, the Applicant shall grant such easement or convey such other rights in the Park area as are reasonably necessary to assure the public use of and access to the Park as required herein (including vehicular access in the event that the Metra tracks are removed).

- (vi) A continuous sidewalk shall be provided along all private streets as necessary to assure pedestrian access between all developments and the public street.
- (vii) A temporary bus turnaround shall be provided at or near the terminus of Wells Street extended prior to the issuance of the certificate of occupancy for the one hundred fiftieth (150th) dwelling unit on the Property so long as the Chicago Transit Authority has indicated its willingness to provide regular bus service along Wells Street to the Property. Such temporary bus turnaround shall (A) be located principally within the Roosevelt Road right-of-way but if necessary (and solely to such extent) shall be located on adjacent private property; (B) be designed to reasonably accommodate the necessary turning movements of C.T.A. vehicles; (C) be designed so as not to preclude the extension of Wells Street south of Roosevelt Road; and (D) shall be maintained until such time as a permanent bus turnaround south of Roosevelt Road has been constructed and made available for use by the C.T.A.
- (viii) Unless construction of the vehicular connecting ramp from Roosevelt Road to Wells Street has been commenced, no additional development on the Property shall take place following the initiation of construction of fifty percent (50%) of the total floor area developable on the Property; provided however, that the Commissioner may authorize additional development upon his finding, following submission of a traffic study, that such additional proposed development can be accommodated by roadway improvements existing at the time of the proposed development. The Commissioner acknowledges that such vehicular connecting ramp is an improvement of area-wide impact and benefit and is required

to accommodate anticipated development not only on the Property but on all other property lying in the area bounded by Congress Parkway, Clark Street, Cermak Road and the South Branch of the Chicago River. Accordingly, the Commissioner shall authorize development on the Property, notwithstanding provisions contained herein, if the Commissioner finds that regulatory considerations for such improvement, where applicable, have not been applied generally to other properties within the area described above.

- (ix) In order to assure that the Property is adequately served with school, library, police, fire and emergency services and facilities as it develops, the Applicant shall cooperate with the City in providing such information and documentation, from time to time upon the City's request, with regard to completed and anticipated development as may be appropriate to assist the City in assessing the need for such additional services and facilities.
- (x) The Applicant shall cooperate with the City in its effort to provide a vertical pedestrian access from Roosevelt Road to Wells Street at the intersection of Roosevelt Road and Wells Street. Such cooperation shall include the granting of reasonable easements across the Property to accommodate such vertical access.

Notwithstanding the foregoing, all of the improvements described in Sections (b)(i) through (b)(iv) above and the entire Phase I LaSalle Park improvements described in Section (b)(v) shall be completed no later than 5 years following the date of adoption of this Planned Development.

11. Prior to issuance by the Department of Planning of a determination pursuant to Section 11.11-3(c) of the Chicago Zoning Ordinance ("Part II approval") for any development of the Property, a site plan for proposed development shall be submitted to the Commissioner for site plan approval. Site plan approval is intended to assure that specific development proposals conform with this Planned Development and to assist the City in monitoring ongoing development. A site plan may be submitted for all or any part of the Property. Such site plan need only include the area within the development parcel, and immediately adjacent public rights-of-way, for which approval is being sought by the Applicant. No Part II approval upon the Property shall be granted until an applicable site plan has been approved.

If a site plan substantially conforms with the provisions of this Planned Development, the Commissioner shall approve said plan and shall issue written approval thereof to the Applicant for such site plan approval within thirty (30) days of submission of the completed application. If the Commissioner determines within said thirty (30) day period that the site plan does not substantially conform with the provisions of this Planned Development, the Commissioner shall advise the Applicant for such site plan approval, in writing, regarding the specific reasons for such adverse determination and the specific areas in which the site plan does not conform to the provisions of this Planned Development within fourteen (14) days from the expiration of said thirty (30) day period. The Commissioner shall thereafter review any resubmission within fourteen (14) days and make a final determination, in writing, to the Applicant for such site plan within said period. Following approval of a site plan by the Commissioner, the site plan shall be kept on permanent file with the Commissioner and shall be deemed to be an integral part of this Planned Development.

After approval of a site plan by the Commissioner, the approved site plan may be changed or modified pursuant to the provisions of Statement No. 9 of this Planned Development. In the event of any inconsistency between an approved site plan and the terms of the Planned Development in effect at the time of approval of such site plan or of the modifications thereto, the terms of the Planned Development shall govern.

A site plan shall, at a minimum, provide the following information:

- (a) Boundaries of the development parcel or parcels;
- (b) Building footprint or footprints;
- (c) Dimensions of all setbacks;
- (d) Location and depiction of all parking spaces (including relevant dimensions);
- (e) Location and depiction of all loading berths (including relevant dimensions);
- (f) All drives, roadways, and vehicular routes;
- (g) All landscaping (including species and size);
- (h) All pedestrian circulation routes and points of ingress/egress (including sidewalks);

- (i) All site statistics applicable to the development parcel or parcels including:
 - (1) Floor area and floor area ratio as represented on submitted drawings;
 - (2) Number of parking spaces provided;
 - (3) Number of loading berths provided; and
 - (4) Uses or development of parcels.
- (j) Parameters of the building envelope including:
 - (1) Maximum building height; and
 - (2) Setbacks and vertical setbacks, required and provided.

A site plan shall include such other information as may be necessary to illustrate conformance with the Planned Development, including, without limitation, building elevations.

12. The Property is intended to be developed in phases extending over periods of time. This Statement describes the schedule for commencement of development of those phases.
- (a) **Initial Period.** Unless those improvements described in Statement 10(b)(i) through (iv) and the Phase I LaSalle Park improvements described in Statement 10(b)(v) are completed within five (5) years of the effective date hereof, this Planned Development shall expire upon the fifth (5th) anniversary of the effective date hereof. If this Planned Development expires pursuant to the foregoing provision, the zoning of the Property shall automatically revert to that of the C3-5 Commercial-Manufacturing District.
 - (b) **Subsequent Periods.** Unless substantial construction has commenced and been diligently pursued thereafter on a minimum of 250,000 square feet of floor area within ten (10) years of the effective date hereof, 500,000 square feet of floor area within fifteen (15) years of the effective date hereof and 750,000 square feet of floor area within twenty (20) years of the effective date hereof (the "Subsequent Periods") the

Commissioner may decide to review and recommend modification, in whole or in part, of the provisions of this Planned Development pursuant to the conditions and procedures outlined in (c) below. For purposes of determining satisfaction of the above development criteria, each dwelling unit shall be deemed to include 1,500 square feet of floor area minimum.

- (c) If the Applicant or its successors fail to satisfy any of the development targets set forth in (b) above, then:
 - (i) pursuant to the procedures and time limits set forth below, a review of the Planned Development may be commenced by the Commissioner and the Commissioner's decision that such review is warranted may be upheld by the Chicago Plan Commission or the City Council only if there is clear and convincing evidence that: (A) the contemplated improvements would have a substantial adverse physical impact on other improvements existing at that time which are not located on the Property, or (B) there has been substantial change in traffic conditions, the public transportation network, the availability of on-street parking or the availability of public utility or municipal services in the immediate vicinity of the Property or in another area but causing a substantial impact on the Property or in the Property's immediate vicinity. All changes in condition shall be measured based on the conditions that exist at the time of approval of this Planned Development;
 - (ii) within thirty (30) days of the expiration of any such Subsequent Period, the Commissioner must issue, and make available to the Applicant within two (2) days of its issuance, a written determination stating whether the Planned Development must be reviewed; and
 - (iii) no approval shall be issued by the Department of Planning under §11.11-3(b) of the Chicago Zoning Ordinance in connection with a building permit filed after the expiration of such Subsequent Period for a building or buildings for which the original building permit application was not filed prior to expiration of such Subsequent Period. If the Commissioner fails to make a determination regarding the need to review the Planned Development within the aforesaid thirty

(30) days following the expiration of such Subsequent Period, it shall be conclusively presumed that no review or modification of the Planned Development is required. If the Commissioner's written determination states that the Planned Development must be reviewed, then within thirty (30) days of the issuance of such determination, he must prepare and issue a report to the Chicago Plan Commission stating the facts warranting such a review and any proposed modifications to the Planned Development. The Commissioner's determination that the Planned Development must be reviewed shall be treated as if it were a filed application for a Planned Development amendment, with the City being deemed the applicant and providing such notice as may be required by law. All proposed modifications to the Planned Development must be directly related to the basis for the Commissioner's review. If such report is not issued, and extensions of time for its issuance are not secured from the Applicant, then it shall be conclusively presumed that a review of the Planned Development is not necessary and the Commissioner's prior decision to the contrary shall be deemed null and void. The report prepared by the Commissioner, and all facts and reports on which it is based, must be made available to the Applicant within two (2) business days of the issuance of the report. If not, the report shall be deemed not to have been issued. Within ninety (90) days after the expiration of the relevant Subsequent Period, but no sooner than thirty (30) days after the issuance of the Commissioner's report, the Chicago Plan Commission shall hold a hearing, proper notice thereof as required by law having been provided, to determine if a review of the Planned Development under the parameters outlined below is warranted. If the Plan Commission decides that review of the Planned Development is not warranted, then such review shall be conclusively presumed not to be warranted. If the Plan Commission decides that a review of the Planned Development is warranted, then it shall prepare a report and recommendation to the City Council Committee on Zoning outlining the facts which support its decision and the modifications, directly related to the facts giving rise to the review, which should be made to the Planned Development. The Plan Commission's decision to uphold the Commissioner's determination that a review of the Planned Development was warranted

and any recommendations for modifications to the Planned Development shall be made available to the Applicant and forwarded to the City Council Committee on Zoning within fifteen (15) days of the Plan Commission's decision. Once the Plan Commission's report is forwarded to the City Council Committee on Zoning, the proposed modifications to the Planned Development shall follow the procedure outlined in the Chicago Zoning Ordinance for Planned Development amendments, except that a further review of the matters by the Department of Planning and hearings by the Plan Commission need not be held.

13. This Plan of Development and the development of the Property is and shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Developments" promulgated by the Commissioner of the Department of Development and Planning.
14. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the owners of record title of the Property. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to the Planned Development are made shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property.

Nothing herein shall be construed to mean that any individual owner of the Property or any portion thereof is relieved of obligations imposed hereunder or any rights granted herein or is not subject to City action pursuant to this Planned Development. Nothing herein shall prohibit or in any way restrict the alienation, sale, or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein, except as assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness, and solely with respect to the portion of the Property transferred, the term "Applicant" shall be deemed amended to apply to the legal titleholder thereof (and its beneficiaries if such title is held in a land trust) and the seller or

transferor thereof (and its beneficiaries if title is held in a land trust) shall thereafter be released from any and all obligation or liability hereunder.

[Existing Zoning and Street Map; Rights-of-Way Adjustment Map; Generalized Land Use and Open Space Plan; Proposed Utilities Plan; Conceptual Blocks, Pedestrian Ways and View Corridors Plan; Landscape Concept Plan; Existing Neighborhood Land Use Area Map; Streetscape and Open Space Concept Plan; and Public Roadway Improvement Plan attached to this Plan of Development printed on pages 7402 through 7410 of this Journal.]

Use and Bulk Regulations and Data and LaSalle Park Signage Standards attached to this Plan of Development read as follows:

Business Planned Development

Use And Bulk Regulations And Data.

| | |
|-----------------------------|---|
| Applicant: | W/H Limited Partnership No. 17, by its attorneys, Rudnick & Wolfe (per Theodore J. Novak and Kevin J. Rielley) |
| Address: | 101 East Erie Street Chicago, Illinois 60611 |
| Date of Application: | May 2, 1991, revised October 10, 1991 |
| Net Site Area: ¹ | 1,096,535 square feet (25.173 acres) |

¹ Net Site Area and Gross Site Area figures assume completion of proposed dedications and vacations of rights-of-way and shall be adjusted as set forth in Statement No. 2 of the Plan of Development.

Permitted Uses:²

In accordance with Statement No.
3 of the Plan of Development

Maximum Floor Area Ratios:²

Subarea A: 6.0

Subarea B: 8.5

Subarea C: 0.0

Overall: 7.0

Maximum Building Height:³

North of LaSalle Park: 285 feet

South of LaSalle Park: 180 feet

² Notwithstanding anything contained herein or in the Plan of Development to the contrary, any use permitted in Subarea B may be developed over the Metra tracks located in Subarea C adjacent to Roosevelt Road so long as: (1) such development addresses and fronts on Roosevelt Road and (2) a view corridor is provided beginning at 180 feet above the grade of Roosevelt Road at least 50 feet in width and located within 75 feet east or west of the boundaries of Subarea C. Floor area so developed shall be charged against that permitted in Subarea B.

³ Up to three (3) "point towers" may be developed on property fronting on Roosevelt Road, up to a maximum height of 285 feet, so long as the portion of each tower exceeding 180 feet in height does not exceed 130 feet in length (measured along Roosevelt Road), does not have a floor plate exceeding 50% of the portion of the structure located below 180 feet in height, and is located at least 75 feet from any other "point tower". Additionally, no such "point tower" shall be permitted which casts a shadow over the open recreational area of Dearborn Park (north of Roosevelt Road) if such shadow exceeds the shadow which would be cast by a 180 foot high building measured at 2:00 P.M. on December 21. For purposes of calculating the height of any buildings located adjacent to and fronting on and addressing Roosevelt Road, building height shall be measured from the grade of Roosevelt Road in front of such building. For purposes of calculating floor area ratio, any area located on any level, less than one-half (1/2) the height of which is below the established Roosevelt Road curb level, which floor area is incidental to and serves a building which is adjacent to and fronts on and addresses Roosevelt Road, shall not be included.

| | |
|--|---|
| Maximum Percentage of Site Coverage: | Subarea A: 60% |
| | Subarea B: 75% |
| Minimum Number of Parking Spaces: ⁴ | Residential Uses: 1 space per dwelling unit for the first 50 dwelling units within a single structure; .55 spaces per dwelling unit for each additional dwelling unit |
| | Retail/Commercial Uses: .4 spaces/1,000 square feet of floor area |
| | Office Uses: .7 spaces/1,000 square feet of floor area |
| Minimum Number of Berths: | As required in C3-5 Commercial-Manufacturing District |
| Maximum Number of Dwelling Units: ⁵ | 2,750 |

⁴ Accessory off-street parking requirements for non-residential uses may be satisfied in parking structures remote from the particular building being served as provided in Statement No. 9(c)(iii) of the Plan of Development.

⁵ The number of dwelling units developed on any individual development parcel shall not exceed 1 dwelling unit for each 115 square feet of site area of such development parcel. The total number of dwelling units developed in any subarea shall not exceed 1 dwelling unit for each 145 square feet of site area of such subarea.

| | | |
|---|--|---------|
| Minimum Building Setbacks: ⁶ | Up to 130 feet above grade: | 0 feet |
| | Above 130 feet above grade to 180 feet above grade: | 10 feet |
| | Above 180 feet above grade: | 15 feet |
| Minimum Building Separation: | Up to 130 feet above grade: | 20 feet |
| | Above 130 feet above grade: | 40 feet |
| Gross Site Area Calculations: ¹ | | |
| Net Site Area: | 1,096,535 square feet (25.173 acres) | |
| Approximate Area to Remain in Public Right-of-Way: | 128,153 square feet (2.942 acres) | |
| Approximate Gross Site Area: | 1,224,688 square feet (28.115 acres). | |

¹ Net Site Area and Gross Site Area figures assume completion of proposed dedications and vacations of rights-of-way and shall be adjusted as set forth in Statement No. 2 of the Plan of Development.

⁶ Architectural detailing to express a 5-foot to 10-foot belt course or other horizontal architectural feature or treatment at 130 feet above grade, 180 feet above grade and 280 feet above grade shall be utilized on buildings developed along Clark Street and Wells Street in order to emphasize cornice lines.

LaSalle Park Signage Standards.

Primary Building Identification.

Identification signs for a building name or building owner's corporate name may be placed directly above a building's entrance (see Building Signage Diagram). Such signs can be a maximum of 3 feet high with only one sign per building facade allowed. If necessary for visibility, such signs can be placed away from a main entrance on the building base.

If illuminated, such signs must be backlit. They shall be surface mounted and integrated into the design of the building's facade. Such signs can incorporate a building or company's identity colors, logos and typeface. Address numbers shall be included at all entrances to buildings.

Miscellaneous Tenant Identification.

All building signage other than the main and secondary building identification signs shall be restricted to a common "sign band" established around the bases of buildings. The sign band will be located directly above storefront windows at the same height from storefront to storefront (see Building Signage Diagram).

Signs placed within the sign band shall be a maximum height of 2 feet and protrude no more than 8 inches from the face of the building. If illuminated, such building signs shall be backlit.

If awnings are to be constructed on the first level, signage no taller than 1 foot can be applied on the vertical fringe of the awning. The bottom edge of awnings shall be \pm 8 feet above adjacent grade level and shall align with adjacent awnings.

No temporary signs can be displayed or applied on buildings, awnings, canopies or windows.

Freestanding Signage.

Freestanding signage pylons are permitted at each primary entrance to the development (such as 9th and 11th Streets). Signage shall not exceed three feet by six inches by ten feet zero inches on any one side. If illuminated such signs shall be backlit.

Temporary Signs.

Parcels that are unimproved or under construction may have temporary marketing, construction or other site signs, provided that they are designed, constructed and maintained in accordance with the following standards:

- Sign faces shall be a maximum of 12 feet in height and 250 square feet in area.
- Construction barricades may be used as signage.
- Signs shall be maintained in good condition.
- Sign information shall be kept current.

[Diagram attached to this LaSalle Street Signage Standards
printed on page 7401 of this Journal.]

Reclassification Of Area Shown On Map Number 2-H.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the B4-3 Restricted Service District symbols and indications as shown on Map No. 2-H in area bounded by:

a line 50 feet north of West Jackson Boulevard; South Hoyne Avenue; West Jackson Boulevard; and the alley next west of and parallel to South Hoyne Avenue,

to those of an R5 General Residence District and a corresponding use district is hereby established in the area above described.

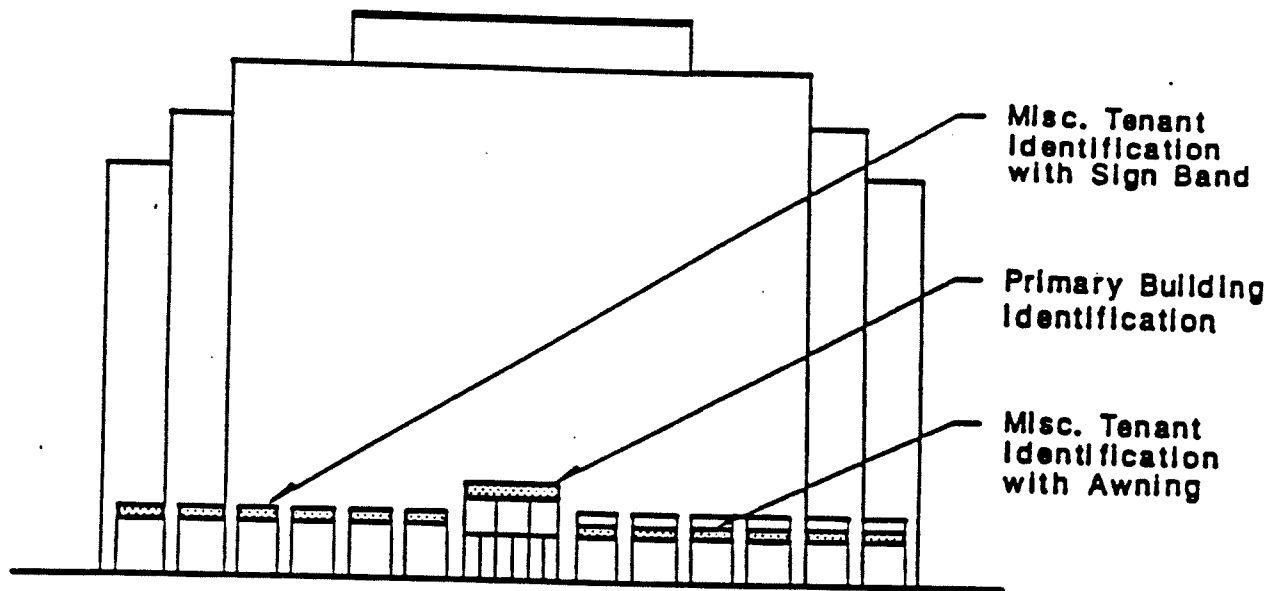
SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

11/6/91

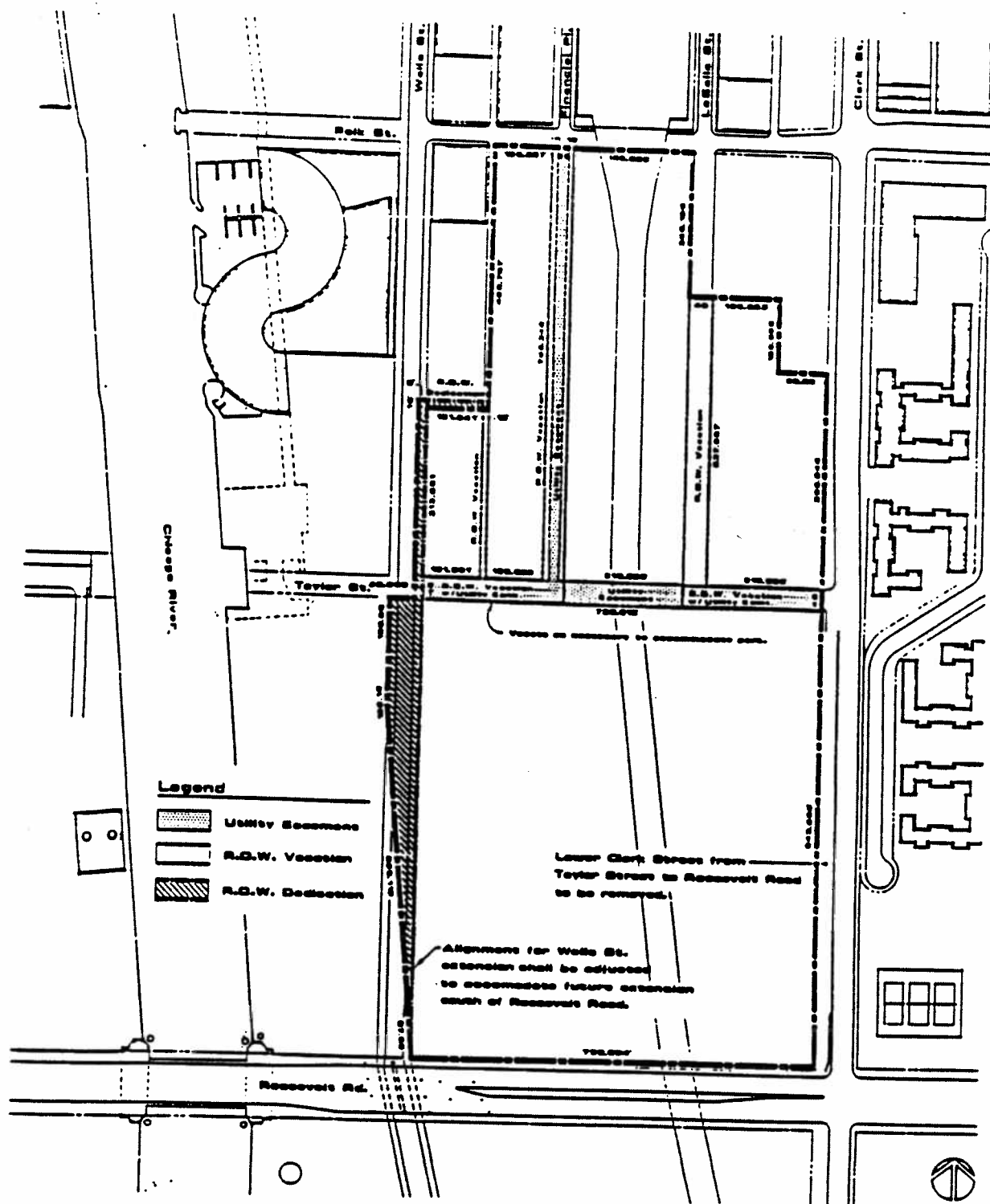
UNFINISHED BUSINESS

7401

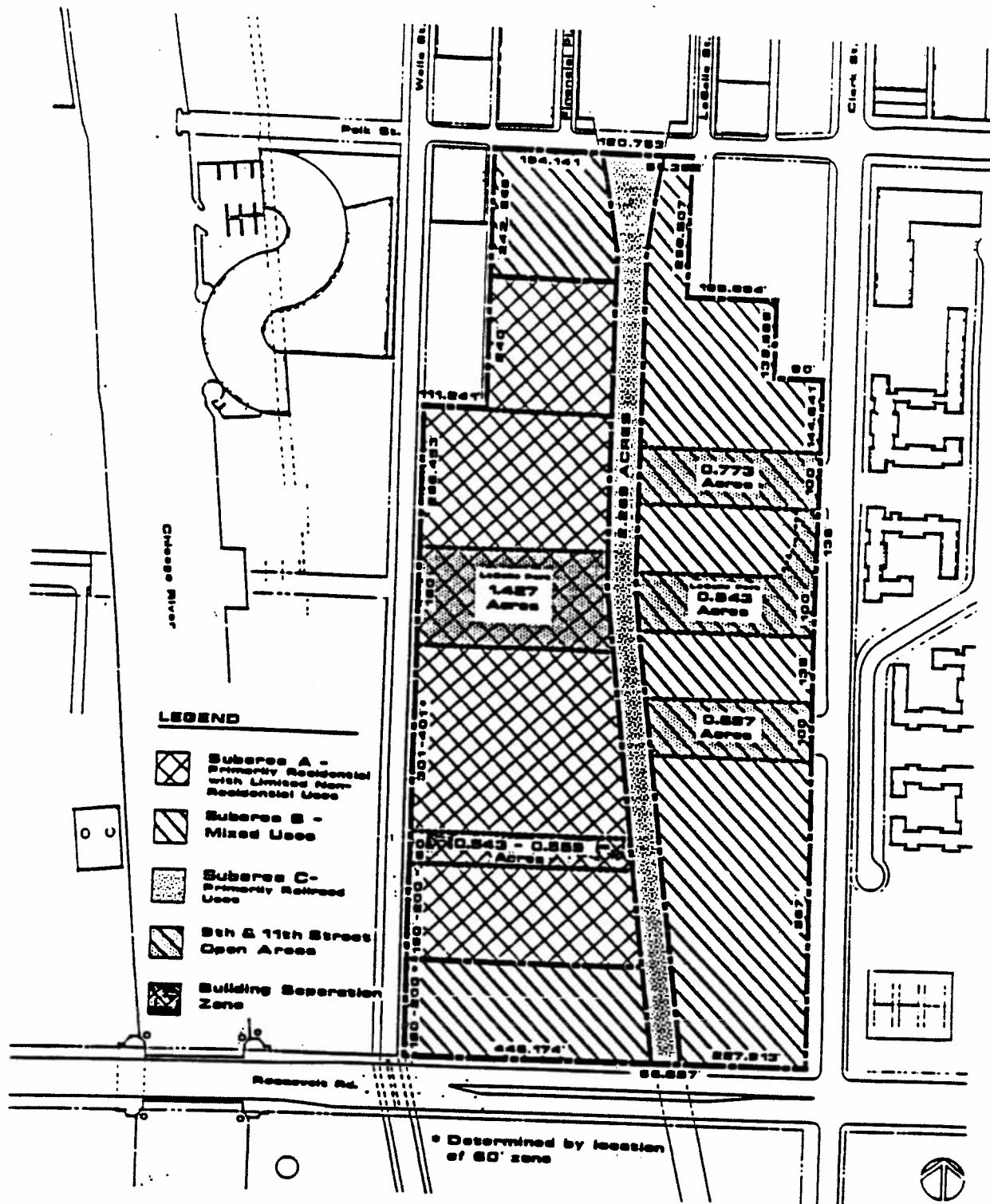
Building Signage Diagram.



Rights-of-Ways Adjustment Map.



Generalized Land Use And Open Space Plan.



LaSalle Park

Walsh, Higgins & Company

Lehen Associates

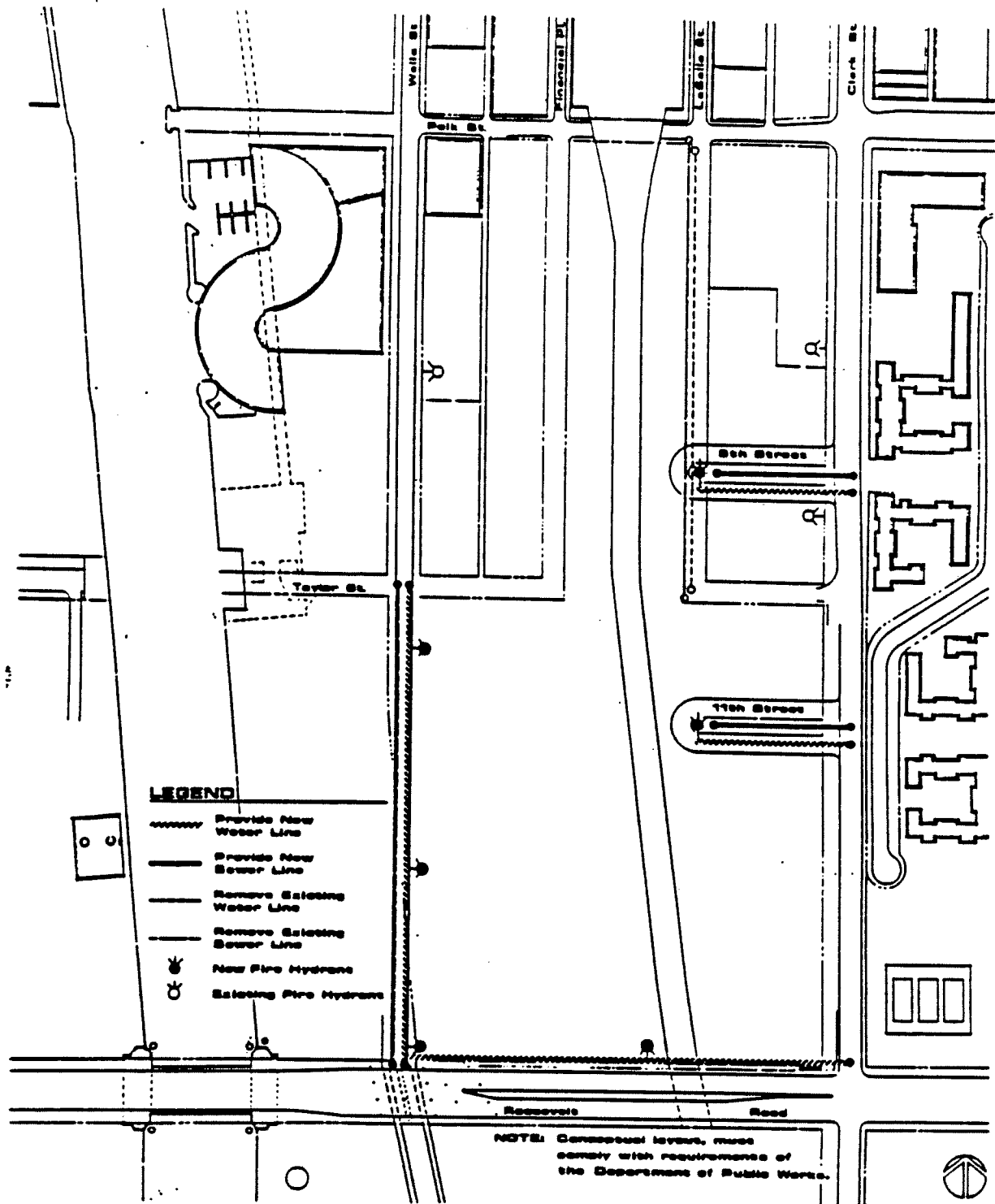
11/6/91

11/6/91

UNFINISHED BUSINESS

7405

Proposed Utilities Plan.



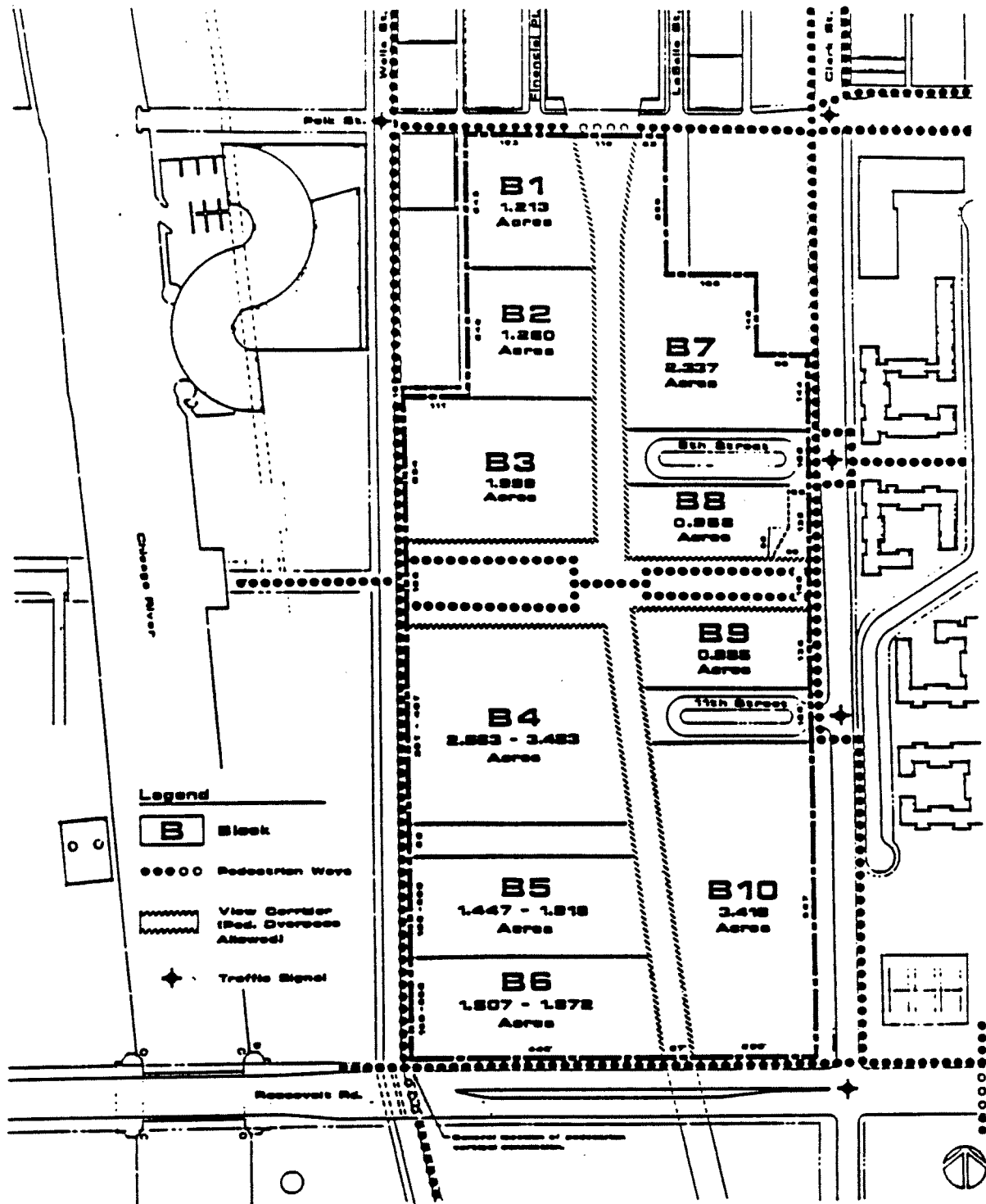
LaSalle Park

Walsh, Higgins & Company

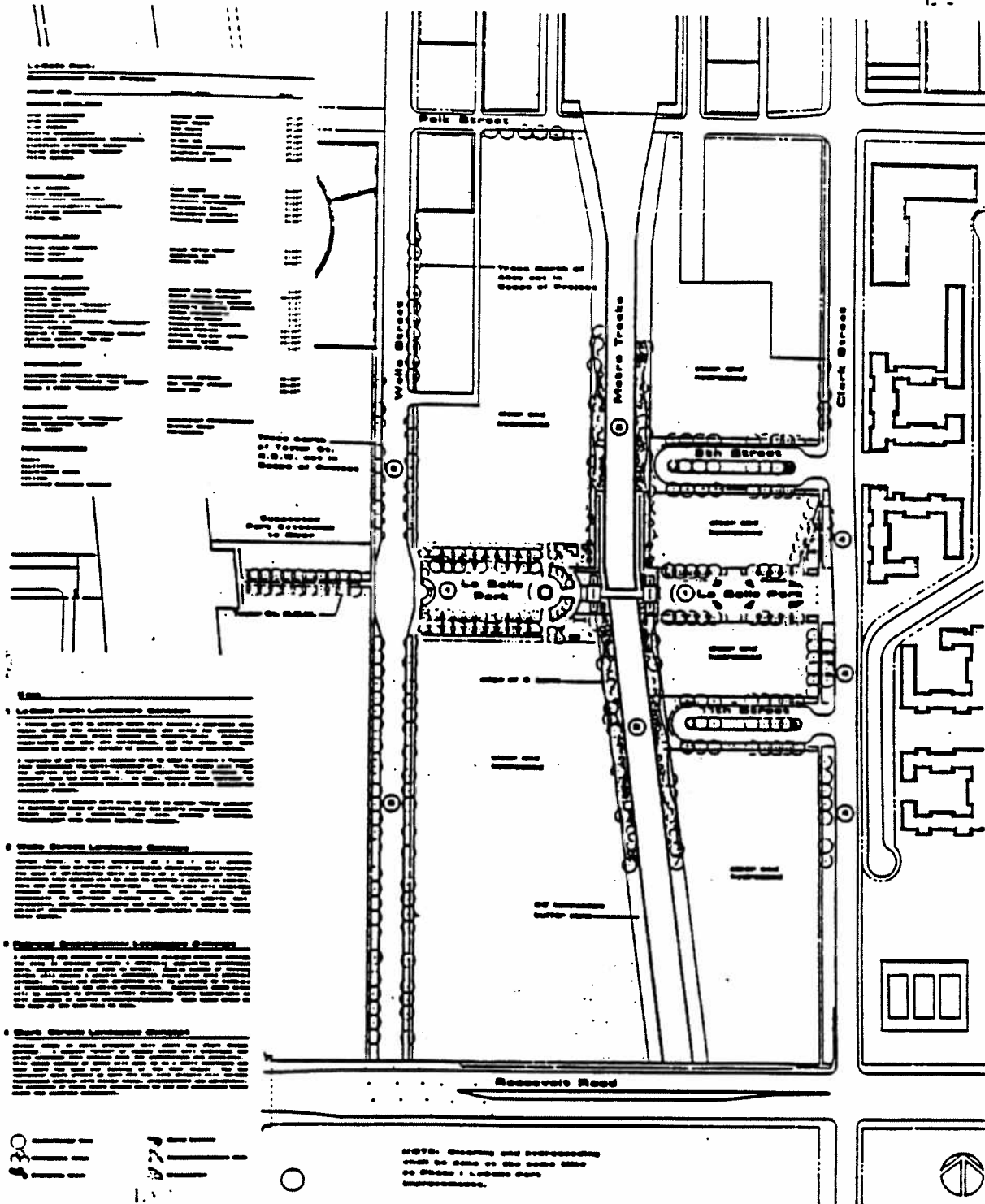
Lehen Associates

11/6/91

Conceptual Blocks Pedestrian Ways And
View Corridors.



Landscape Concept Plan.



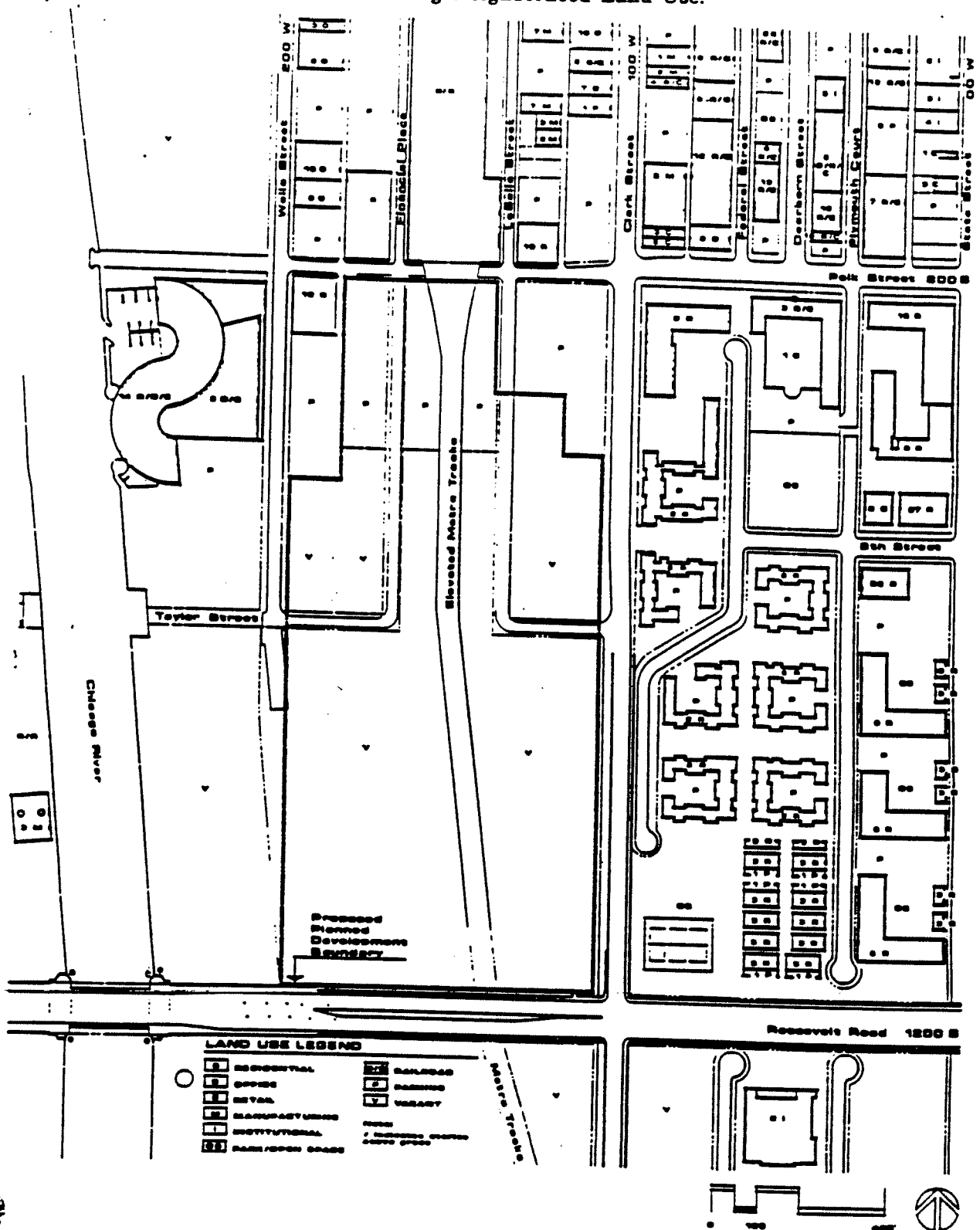
LaSalle Park

Walsh, Higgins & Company

Lohan Associates

11/6/91

Existing Neighborhood Land Use.



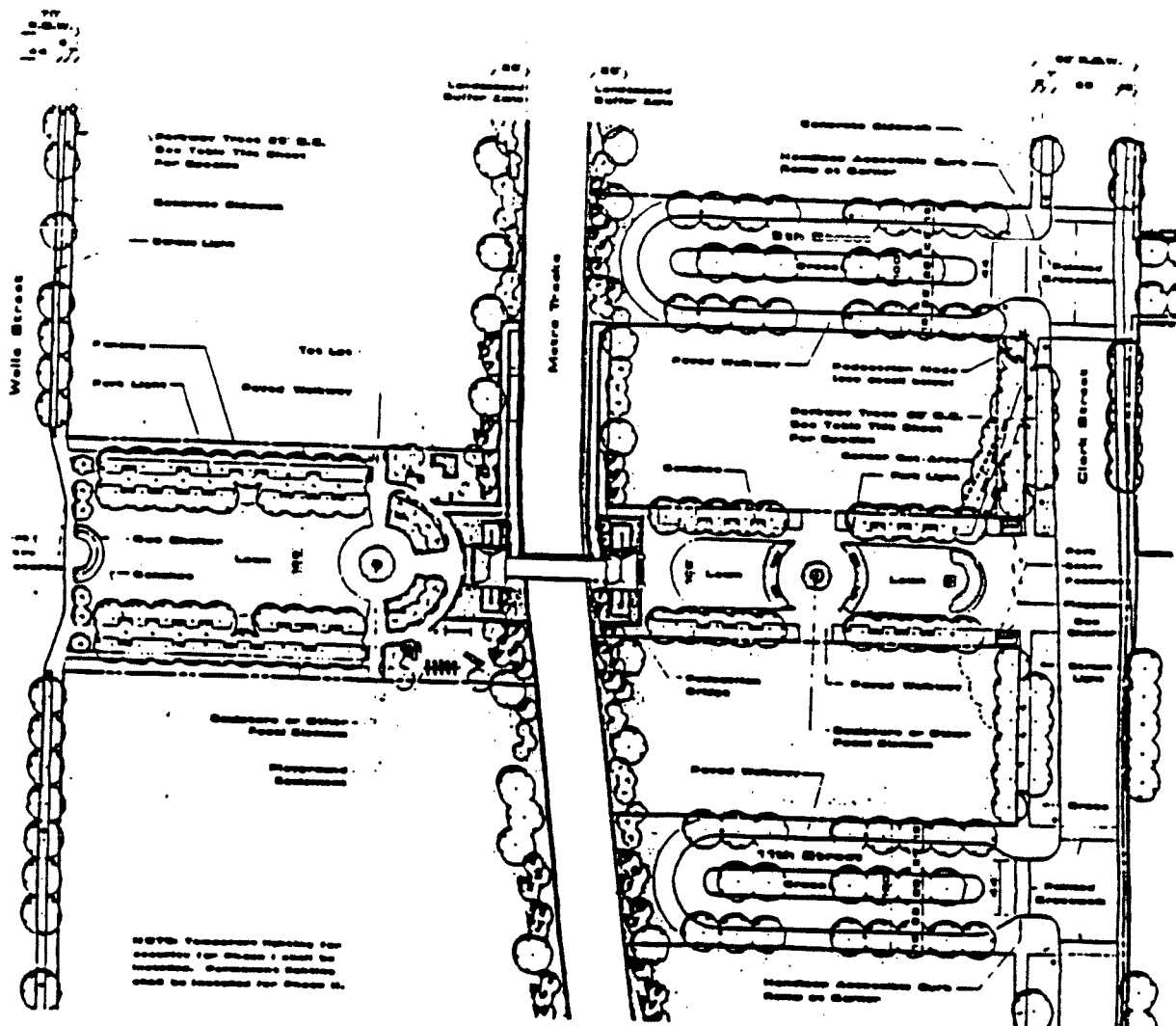
LaSalle Park

Walsh, Higgins & Company

Lohan Associates

10/10/91

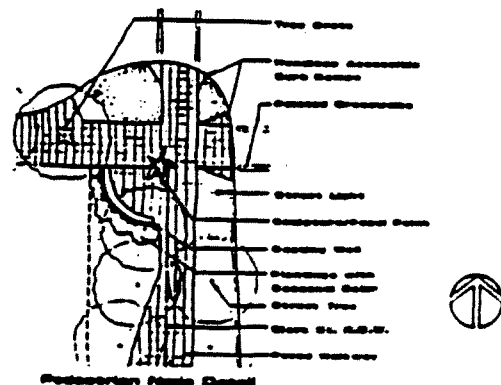
Streetscape And Open Space Concept Plan.



NOTE: Design is conceptual, and design may vary subject to requirements of Planning Approval only.

Donaldson, David, 1900-

| Malus Name | Common Name | Size |
|-----------------------------------|-----------------------|-------|
| Amor pinnatifidus | Honey Maple | 3'-6' |
| Amor canadensis | Sugar Maple | 3'-6' |
| Amor rubrum | Red Maple | 3'-6' |
| Celtis occidentalis | Honeyberry | 3'-6' |
| Fraxinus pennsylvanica lanceolata | Green Ash | 3'-6' |
| Gleditsia triacanthos inermis | Thornless Honeylocust | 3'-6' |
| Pyrus calleryana 'Bradford' | Bradford Pear | 3'-6' |
| Tilia cordata | Littleleaf Linden | 3'-6' |

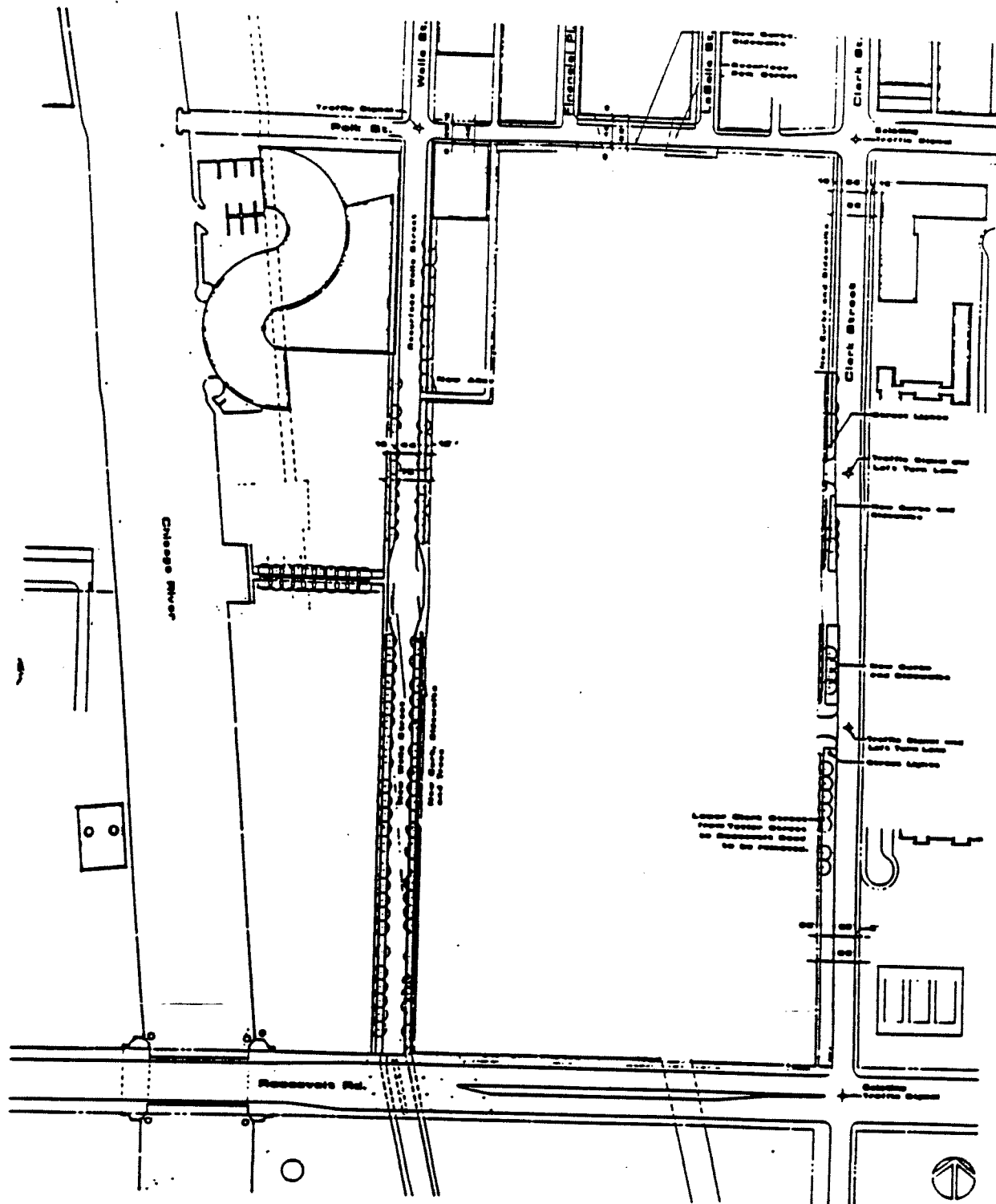


LaSalle Park

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Lohan Associates
E / E / 81

Public Roadway Improvements Plan.



LaSalle Park

Welsh, Higgins & Company

Lohan Associates

11/6/91